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CALEDONIA.

CALEDONIA:

OR,

A HISTORICAL AND TOPOGRAPHICAL

ACCOUNT OF NORTH BRITAIN

FROM THE MOST ANCIENT TO THE PRESENT TIMES,

WITH

A DICTIONARY OF PLACES

CHOROGRAPHICAL AND PHILOLOGICAL.

BY

GEORGE CHALMERS, F.R.S., F.S.A.

NEW EDITION.—VOL. III.

PAISLEY: ALEXANDER GARDNER.

1888.

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LONDON:
Printed for T. CADELL, and W. DAVIES, Strand; and
A. CONSTABLE and Co. at Edinburgh.

1810.

IT IS WISE TO OBSERVE OCCURRENTS, AND LET NOTHING REMARKABLE ESCAPE US: THE SUPINITY OF ELDER DAYS HAVE LEFT SO MUCH IN SILENCE; OR TIME HATH SO MARTYRED THE RECORDS; THAT THE MOST INDUSTRIOUS HEADS FIND IT NO EASY WORK, TO ERECT A NEW BRITANNIA.

SIR THO. BROWN.

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PREFACE.

IN prosecution of my plan for removing the difficulties, settling the disputes, and clearing the obscurities of the history and antiquities of Scotland, I now presume to lay before the Public the *second* volume of my CALEDONIA.

For effecting those several objects in my *first* volume I treated of the more ancient history of Scotland in *four* Books; the first containing the *Roman Period*, and ending with 446 A.D.; the second comprehending the *Pictish* period, and closing with 843 A.D.; the *third* treating of the *Scottish* affairs, and finishing in 1097 A.D.; and the *fourth* book discussing the colonization and history of the Scoto-Saxon people, and concluding with 1307 A.D. The four books thus ascertaining in ample detail the ancient history of North-Britain.

But though many novel views were given and a thousand uncertainties were ascertained, that volume has not been formally controverted. Every intelligent person has acquiesed in its moral certainties however new and unexpected, except Doctor Jamieson alone, who has attempted to controvert them in his Prefatory Dissertations on the Scottish language. Yet he who reasons against facts shews little discretion as a logician, and he who pretends to out-argue demonstration, only evinces that as a lexicographer he loves theory better than truth. I shall not, however, make in this place any reply. There will be found in the subsequent volume a thousand facts which contradict his etymological speculations on the Scottish language, which never existed in a separate state from the old English, as had been previously proved by argument and fact, in the Prefatory Disquisitions to my edition of *Sir David Lyndsay's Poems.*

From the ancient annals of Scotland this *second* volume proceeds after some introductory intimations, to give its Topographical History, in a sequence of shires, beginning with the most southern, and proceeding to the northern in a regular consecution. The localities of each shire will be submitted to the public in eight sections. The 1st will treat of its *Name;* the 2nd of its *Situation* and *Extent;* the 3rd of its *Natural Objects;* the 4th of its *Antiquities;* the 5th of its *Establishment* as a *Shire;* the 6th of its *Civil History;* the 7th of its *Agriculture, Manufactures,* and *Trade;* and the 8th of its *Ecclesiastical History.* Thus, under those several heads will be found I trust, in this volume, much that is new, and something that is interesting, from the various sources of authentic documents and the intelligent correspondence of the parochial ministers which are now laid before the judicious eyes of the inquisitive reader. Such a reader will perceive the frequent quotation of the Parliamentary Record. This is merely the copy which was printed by William

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Robertson the late under-keeper of the Register-house, and cancelled by the Record Commissioners who disapproved both of its plan and execution. Yet, unseemly and unsatisfactory as this printed copy is, I have found it of the greatest importance to historical research. It clears many an obscurity, it confutes a thousand calumnies, and it ascertains a million of truths. It is this Record which exhibits the common people in a light that does them high honour, in lamenting the assassination of James III., and crying out for justice on the traitors.

In the subsequent volumes will follow the *Topographical History* of the south-western, the eastern, and northern shires in convenient season, as the materials are provided, the details are formed, and the composition is easy to the pen of diligence.

In the subsequent pages the year 1747 is assigned as the epoch of the Engineer's Survey of Scotland. The design was certainly then conceived by the Duke of Cumberland, and adopted by the Board of Ordnance *(a)*; but it was not actually begun till the first week of June 1748, by Lieutenant-Colonel Watson (*b*). The Honourable John Elphinston who is mentioned in p. 61 as the publisher of a map of Scotland, was a practitioner engineer under the engineer for Scotland, in 1748, and died at Kilcroigh, in April 1753 (*c*). Lieutenant-Colonel Watson the quarter-master, meanwhile made the survey of North-Britain. To the anecdotes of General Roy in p. 64, may be added that in 1757 he went upon the expedition to Rochfort, and in January 1758 was examined at the court-martial on Sir John Mordaunt; and being the only engineer with the rank of lieutenant in the army, on the expedition, gave it as his opinion that an entrenchment [round Rochfort] not assailable without being laid open by cannon might have been thrown up in two or three days, and that in the same time, a covered way, glacis, and even an advanced ditch might have been soon made (*d*). To what is said of General Debbieg in p. 62, may be added that, in June 1757, when the rank of the whole engineers was settled, he appears as a sub-engineer with the rank of lieutenant in the army (*e*).

In the subsequent volume, p. 601, it required much enquiry and some calculation to

(*a*) See page 61 in the following volume.

(*b*) We may clearly ascertain the true epoch from that officer's letter to the engineer Skinner, dated the 7th of June, 1748, from Edinburgh: "But as I am obliged this week to begin the surveying scheme, which (amongst friends) has given me infinite pain, I have ordered Lieutenant Stewart to acquaint you when General Bland will be at Fort Augustus." The late General Skinner's MS. Letter Book, in my library. From it he appears to have been appointed the director of engineers for Scotland in December 1746. The original object of that Survey more distinctly appears in a despatch from Charles Bush, the secretary of the Board of Ordnance, to the same engineer, dated the 7th of June, 1748: "The number of engineers and others intended to have been employed under Lieutenant-Colonel Watson, in surveying *the highlands*, south of *the chain*, being reduced, and Messrs. William Floyer and Jasper Laforey, who were ordered to Edinburgh on that service, being thereby disappointed," &c. General Skinner's Letter Book. It appears also, from this engineer's information to the Board of Ordnance, that the Moray Firth, between Ardersier, Inverness, and Cromarty, was surveyed by Thomas Walker, a sub-engineer, in 1749. The engineer Skinner was the builder of Fort-George, which was founded in 1748; and he continued the director of the engineers in Scotland till the year 1757.

(*c*) Scots Mag., 1753, p. 206.

ascertain that the massacre of James III.'s menials at Lauder bridge happened in July 1482; but from a short Chronicle of James Gray, who compiled it soon after that atrocious event, the real date clearly appears to have been the 15th of July 1482 (*f*). In the latest of the Scottish historians we may see how uncertain is still the true date of the death of Margaret, the virtuous queen of James III. (*g*). But the same Chronicle shows that she died at Stirling in 1486 (*h*). It is only by collecting and arranging such documents that the real history of North-Britain can be cultivated as a science.

In the literature of England there is a well-known book under the appropriate name of *Liber Regis*, containing the value and advowsons of all the ecclesiastical livings; but in Scotland they have no such document of useful information. There will be found, however, in the topographical history of the subsequent volume, a TABULAR STATE of the several parishes in each shire, which may be deemed the *Liber Regis* of North-Britain.

Of matters illustrative or ornamental, there will not be found much in this volume. There is, indeed, a *Tabular Statement* which contains the *political anatomy* of every shire in Scotland on a *broadside*. There was intended to be prefixed to this volume a new map of Scotland, in which the boundaries of shires are more elaborated than they formerly were, the limits of districts are better ascertained, the location of the churches are more discriminated, and the names and places are more appropriated to the history; but the infirmities of the engraver have made it necessary to postpone this map till the appearance of the following volumes.

In the investigation of truth I have not been discouraged by any difficulty, and I have not declined any labour. I have sought new documents, and I have tried in my narration to be neither too general nor too minute (*i*). I will beg leave to conclude this Preface with Carew's *Prosopopeia* to his *Survey of Cornwall:*

" I crave not courteous ayd of friends,
To blaze my praise in verse;
Nor, prowd to vaunt min author's names,
In catalogue reherse.

" I of no willing wrong complaine,
Which force or stealth hath wrought;
No fruit I promise from the tree
That forth this *blooth* (*k*) hath brought.

(*d*) Scots Mag., 1758, p. 22-8.

(*e*) Ib., 1757, p. 327.

(*f*) MS. 12°. James Gray, Advocates' Library.

(*g*) Pink. Hist., i., 423-4.

(*h*) Gray's MS.

(*i*) There may be misprints, which cannot easily be prevented in so long a work, whatever care may do. An *Index* for this volume was prepared, but upon consideration it was conceived that a general Index for the whole work would be more commodious to the studious reader.

(*k*) A Cornish word signifying the year, the spring; or rather the fruits of the year, or budding of trees.

" I curry not with smoothing termes,
Ne yet rude threats I blast :
I seeke no patron for my faults,
I plead no needlesse haste."

[The notes within square brackets, added throughout the work, are by the editor, and consist of such particulars as could be conveniently interpolated in the author's text. It is proposed to supplement the information therein given, by a series of notes at the conclusion of the work.—J. D. B.]

AN ACCOUNT

OF

NORTH-BRITAIN.

CHAP. I.

Introductory Notices of its General State.

§ 1. *Of its First Settlement.*] THE British Isles must have been settled during the earliest ages of the postdiluvian world, if we may credit the instructive notices of the stone monuments that still offer themselves to our observation, rather than the ill-informed intimations of ancient authors, who are little worthy of our credit. While the impulse of the dispersion still continued, the pristine colonists arrived, probably, from the nearest coast of Gaul, as intelligent scholars are at length disposed to acknowledge. The names which the original planters imposed on the great objects of nature, and which have continued for the information of every age, exhibit as well undoubted specimens of their ancient tongue, as the real lineage of the tribes who occupied the British world (*a*). The first planters soon spread their settlements with the usual enterprise of colonists into every district of the greater island, the chief scene of the Gaulish adventurers (*b*).

(*a*) Caledonia, ch. i. (*b*) Id.

§ II. *Of its original Discovery.*] The Britannic Islands were first seen in the dark haze of uninformed antiquity, by Pythias, a voyager of Marseilles who sailed into the Western Seas, while Alexander the Macedonian marched in quest of adventures into the eastern regions (*c*). Those isles were afterwards recognised by the Greek geographers: by Eratosthenes, under the name of *Albion;* and by Strabo, under the more celebrated appellation of *Britannia.* But it was Ptolomy who first gave us, at the middle of the second century, as well the geographical outline of those islands, as their topographical detail, with some instructive circumstances. It was Richard, however, who supplied confirmations of his able precursor; and added many new notices with respect to the British Isles, which are of great importance to geography, to history, and to philology (*d*).

§ III. *Of its successive Names.*] Erudition has tried by every effort of diligence to explain, though without success, the origin and the meaning of the successive names which have been affixed to the British Isles, by various people in different ages. Camden, after quoting the discordant opinions of the most learned scholars, at length relinquished puzzled learning to flounder in the darksome abyss of her own absurdities. The great antiquaries of the present times have considered that philological pursuit as quite hopeless which the research of Camden had relinquished as unattainable. The most ancient name that was applied to those isles was *Alban,* which, in the Celtic tongue of the original Britons signified the high region, or the outer region (*e*). The Greeks, according to their manner, very early perverted the first appellation that, in either form, was certainly descriptive of the appearance of our island, to *Albion,* which was supposed to signify *white;* and which Pennant

(*c*) Gosselin's Geograph. des Grecs, p. 46-7. It is supposed, however, that the Phœnicians had brought tin from the *Cassiterides* in prior ages. Yet it is very doubtful whether the *isles of tin,* which were known by the name of the *Cassiterides,* did not lie in the Indian ocean. See Stephanus, in vo. *Cassiterides.* On this interesting subject the more curious reader may peruse the *Mémoire* of M. Melot, on the Revolutions of the British Commerce from its commencement to the invasion of J. Cæsar, in the Collection from the *Mémoires* of the Academy of Inscriptions, by Rose; printed for Becket and Elmsley, 1777.

(*d*) Many facts which are ascertained by the topography of North-Britain confirm the instructive notices of Richard. See Caledonia, book i., ch. iv.

(*e*) See Owen's Dict. in vo.; and the Cambrian Reg., vol. i., p. 24. Camden, indeed, considered it as an absurdity to seek the origin of this name in a foreign language. In fact, J. Cæsar, the first invader of our island, was struck with the height of its cliffs; and Catullus calls it "ultima occidentis insula," the *last western isle.*

has adopted from the "lazy apathy" of popular attentions (*f*). The second name was Britain, or *Britannia*, which the Greeks with their accustomed plagiarism soon assumed as their own production (*g*). But this name in whatever form or in whatever language, seems to have defied the etymological antiquaries of every age (*h*). The origin of the name may certainly be traced back to the speech of the Cambro-Britons of pristine times. The ancient Britons have always denominated their native land *Ynys-Prydain*, which signified in their descriptive language, the beautiful island (*i*). The Welsh poets and etymologists of the present times, have congratulated themselves on discovering the origin of *Britannia* and *Britain* in their own *Prydain*, signifying *fair* (*k*). Carte intimated as much, though he failed in making out his etymon because he was unacquainted with the various mutations of the Welsh speech (*l*). The fact is that Humphry Lluyd, the well-known antiquary of Elizabeth's reign, actually traced the English name of Britain to the Welsh *Prydain*, signifying *pulchritudo*, and he shewed with great skill the several changes of the radical letters P into B Ph and Mh; so that the Welsh *Prydain* might without any difficulty be converted into the English *Britain*, or the Latin *Britannia* (*m*). But the intimations of the ingenious Lluyd were egregiously misapprehended by Camden, whose mistakes have been continued from his first edition in 1586, to the last in 1789 (*n*). Thus early, then, was the real origin of the name of Britain

(*f*) See the maps in Gosselin's Geographie des Grecs, and his Table des Matieres, in art. *Albion;* and see Pennant's Arctic Zoology, i. 6. The name of *Alban* was long retained as the ancient appellation of North-Britain. Macpherson supposed this original name to have been formed from the Celtic *Alb* or *Alp*, high, and *in*, a country. Introduction, 38. Whitaker considers this celebrated name to be merely the plural form of *Alb*, a height. Hist. Man. i. 9. Carte derives it from the Celtic *Alb*, white, supposing the country to have been thus called from the appearance of its cliffs. Hist. Eng. i. 4.

(*g*) See the maps in Gosselin's Geog. des Grecs.

(*h*) The learning of Bochart was exerted in vain; and the ingenuity of Faber with as little success suggests *Brit-Tan-Nu-Aia*, from *Brit-Tan-Nus*, the Fishgod Noah, the Covenanter, Cabiri, i. 257.

(*i*) Owen's Welsh Dict. in vo. *Prydain*. According to the genius of that language, the P. changes to B.

(*k*) See Edward Williams' Poems, ii., p. 42; Owen's Poems of Llywarch Hen. Introd. xxi; Cambrian Register, i. 22-3.

(*l*) Hist. of Eng., i. 5.

(*m*) See Lluyd's Comment. Brit. Descript., 1572, p. 6, 7, which was translated by Thomas Twyne and published in 1572, under the name of *The Breviarie of Britagne;* and there was in 1731 an excellent edition of Lluyd's *Descriptio*, by the accurate Moses Williams, wherein this subject is treated at large, in p. 10, 11.

(*n*) It must be admitted, however, in favour of Camden, that the radical word was erroneously printed *Prydam* in the Cologne edit. of 1572; yet it was very accurately published in Twyne's

discovered in the British *Prydain*, and thus late was it rediscovered by ingenious men who are, perhaps, more skilful in the Cambro-British speech than Humphry Lluyd, who is entitled to the unrivalled honour of being the true discoverer of the real etymon of that envied name.

§ IV. *Of the Name of Caledonia.*] Ages elapsed, however, before the British island, as it came to be sub-divided into parts, was known to the intelligent world by the geographical appellations of South and North Britain. During the first century of our common era the northern division was known by the name of CALEDONIA to the classical writers of that age; Pliny, Ovid, Martial, Valerius Flaccus, and above all Tacitus. But the name of Cal-ydon had been long known as the appropriate appellation of a province of Greece which was famous for its *forests* (*o*); and this celebrated name of *Cal-ydon* as it was imposed on a country of *woods* by the first cultivators of Greece, must have been significant in the Pelasgic speech of that ancient people (*p*). We have thus seen that *Cal-ydon* is an indigenous word of an original tongue, and that *Cal-ydonia* was applied descriptively by classic writers to Northern Britain, during five centuries at least before the arrival of the Scoto-Irish Gael within its woody confines. The people during the first century were naturally called in the pages of history, *the Caledonians*. In the progress of events and in the varieties of change, that people who had the honour to repulse the Roman legions were called *Picts*, and gave their own name of *Pictavia* to the regions which they had successfully defended. The Scots had long domineered in Ireland before they colonized the nearest shores of North-Britain; and ages elapsed before these colonists had the fortune to transfer from Ierne to the land of the Picts the appropriate name of *Scotland* (*q*). This name, which it thus received from the prevalence of its recent colonists it will probably long retain, notwithstanding every change, as it was more lately imposed in the predominant idiom of the Saxon people by a Saxon prince (*r*).

Translation of the subsequent year. Camden mistook the *Prydain* of Lluyd, for *Prid-cain*, which not one of that great topographer's editors has thought it worth his while to rectify, by an attention to the accurate editions of Twne and of Williams.

(*o*) Geographia Antiqua et Nova, No. 13; Holland's Camden, in Scotia, 30; Gebelin's Monde Prim. ix. 459.

(*p*) The Pelasgic, the Greek, and the Celtic, were all originally the same speech; and *Cal* is a Celtic word, which constantly signifies forests, woods, and so *Calon*, in Greek, signifies woods. Id. Bullet, in voce. Here, then, is the root of Cal-ydon which was easily converted by Latin etymologists into *Cal-ydon-ia*.

(*q*) Caledonia, i., p. 338-9.

(*r*) Caledonia, i., 338-9.

§ v. *Of the North-British People.*] But it is the people of whatever lineage or however mixed, who ought to be the chief object in such inquiries. The learning of three centuries was exhausted in successive efforts to ascertain the *aborigines* of North-Britain, till fastidious ignorance came out at length to disclaim this interesting pursuit as positively frivolous. Yet what can be more attractive to rational curiosity, than to inquire and to show who were the progenitors of the people whose history we propose to investigate? The *aborigines* of North-Britain have been at last ascertained by a new mode of proof, which brings that enquiry to positive certainty. By ascertaining the names of the great objects of nature in South and North-Britain to be the same; by shewing clearly that the meaning of those names was to be found in the Cambro-British speech: a moral demonstration was thereby given that those aboriginal people were "undoubtedly the same Gaelic clans who very early settled South-Britain" (*s*). How many opinions have been contradicted by that demonstration, how much learning has been thus rendered nugatory, how many books on this interesting topic have been confuted by that investigation of facts, need scarcely be mentioned (*t*). But the usual comforts of certainty have at length been obtained. The *Caledonians* of the North-British annals have been equally ascertained to be merely the descendants of those *Gaelic aborigines*, who in various ages assumed new shapes, and appeared to intelligent eyes in dissimilar lights. With regard to those celebrated people, the same contradictory opinions long existed; and those contrarieties often came out, even down to our own times, in the unseemly attitudes of literary altercations which ascertained nothing. But those contrarious opinions have at length been reviewed; and it has been incidentally ascertained by moral demonstration, that the Caledonians of the first century who fought Agricola, were merely the descendants of the Gaulish settlers within North-Britain. If there were no Goths in that country during the second century, then were the Caledonians of those times a Celtic people. The Picts of

(*s*) Caledonia, i. 31-56. The journalists, who were of late willing to wound, yet were afraid to strike, have opposed that demonstration so feebly, that they may be considered as having admitted, proofs and inferences which they could not controvert.

(*t*) See Nicolson's Scottish Historical Library, 6-61-133. Camden would have ascertained the *aborigines* of North-Britain if he had not been shackled by his own erudition: but he relied too much on the opinions of scholars, and trusted too little to the influence of circumstances and the instruction of facts. He was reprobated not so much for his hallucinations as for his learning, by all the wit and scholarship which Scotland in his age could boast. Hume of Godscroft, who is praised by Nicolson for his spirit and elegance, wrote a treatise which he called *Campdenia;* and Drummond offered to the public *A Pair of Spectacles for Camden.* Ib., 14, 15. But the *Britannia* remains, while the *Campdenia* of the one and the *Spectacles* of the other are forgotten.

subsequent ages are acknowledged, because the truth could not be denied, to have been the same people as the *Caledonians* of prior days, under a new name (*u*).

It is, indeed, a fatal objection to the Gothic system of the Scottish history, which every one except the Glossarists seems to have relinquished as untenable, that the maintainers of it cannot show historically that a Gothic people settled in North-Britain before the *fifth* century of our common era; and failing in the history of such a migration, as there were no Goths to emigrate, the Gothic etymologists cannot be let in with their Scandinavian word-books, to show a direct derivation of the Gothic language of North-Britain, while they cannot show a connection of Scandinavia and Scotland by colonization at an early epoch. All languages had a common original. The Anglo-Saxon and the Gothic dialects had the same source; and hence, it is an easy task for

(*n*) See Caledonia, i., 223-34, for a review of the *Pictish question*. A late compiler of an Etymological Dictionary of the *Scottish language* has controverted the positions in the text so weakly, as to confirm rather than invalidate their truth. But this lexicographer has only failed where the learned Stillingfleet had failed before him, in being able to show that any Gothic people colonized North-Britain before the Anglo-Saxons: they could not trace such a colonization, because such a colonization never took place; falsehood cannot be proved, any more than facts can be disproved. There were no Goths in the Orkneys during the age of Solinus, as he assures us those islands were then uninhabited; and as indeed we might infer from the voyage of the Roman fleet under Agricola. During the same age there were no Goths in North-Britain, as the names of the places were then Celtic, and not Gothic, if we may believe Ptolomy and Richard. An examination of the local words in Shetland, Orkney, and Caithness, has evinced that they are quite different from the local words of proper Scotland; and the non-existence of the Scandinavian names of places in Scotland, though they abound in Shetland, Orkney, and Caithness, demonstrates that Scandinavian Goths had never colonized proper Scotland, as they would have here left the same local names which appear so obvious in Shetland, Orkney, and Caithness. See Caledonia, I. 488-90, for the facts. But our lexicographer's taste cannot feel such disquisitions, nor can his logic comprehend such demonstrations. Yet he does produce a list of words from proper Scotland, "which are *not Teutonic, but Scandinavian.*" It is to be lamented that our dictionary-maker did not assign the meaning of his examples of Scandinavian words in English, or Latin, or Chaldaic, or Sanscrit, that they might have been a little examined:

Beik, to bask, to warm, he might have seen in the Glossary to Lyndsay's Poems, from the A.-Sax. *baccan:*

Beild, a shelter, a refuge, he might have found in the same Glossary, as an old English word from the A.-Sax. *beilde*:

Beirth, a burthen, from the A.-Sax. *berthen*, he might have also perceived in the same work:

Beugh, a bough, from the A.-Sax. *bogh, boh*, names, he might have seen in the same Glossary.

Bismar, a scold, any worthless woman, from the A.-Sax. *bismere*. But, of such detections enow He constantly shuts his eyes against the Anglo-Saxon, though he knew that Sibbald the glossarist had been censured lately for such disingenious perversity.

diligent perversity to discover many words which are really Anglo-Saxon, in the kindred dialects of the Scandinavian. If it be asked whence came the progenitors of the Swedes, the answer must be, from the north of Germany, the known country of the Anglo-Saxons, and of course, the two peoples having a common origin, must speak two languages of remarkable analogy, varied only by dialect, and differenced merely by orthography. If it be inquired whence came the Gothic people of North-Britain, whether from the north of the Baltic or the south of the Tweed, the answer must be, not from the Baltic, of which migration there is no evidence, but from the Tweed, whereof there is the most satisfactory proofs: for, it is an historical fact that admits of no doubt, that a body of Gothic Angles, during the fifth century, colonized upon the Tweed and extended their settlements along the Forth. The Gothic tongue of the Anglo-Saxons was for the first time heard within the limits of Northern-Britain (*x*). In the effluxion of ages they sent out their colonists beyond the Forth, the Tay, and the Dee: they were augmented by the arrival of Anglo-Normans from the south; they admitted settlements of kindred Flemings everywhere within North-Britain; and with the augmentation of their numbers, acquiring the ascendency with the government, they dictated their language, their laws, and their manners, within every district of proper Scotland (*y*).

(*x*) Caledonia, i., 250-59.

(*y*) Ib. 495, for the colonization of North-Britain during the 12th and 13th centuries by the Anglo-Saxons, or English, by the Anglo-Normans, or French, and above all by various bodies of Flemings. Yet, the late lexicographer of the Scoto-Gothic language is not satisfied. He says, "no satisfactory account can be given of the introduction of the *vulgar language.*" Is it not sufficient to show the colonization of the country by the progenitors of those who now speak the vulgar language? How came the British tongue to be silenced in England? Was it not by the prevalence of the Saxon people? How came the Cornish speech to be lost? Was not this circumstance owing to the conquest and settlement of the Saxons? How has it happened that the Irish tongue has been well nigh silenced in many districts of Ireland? Was not this novelty produced by the prevalence of the English people, their language, their law, their protestant schools? How has it happened that the English language should be now spoken in the United States from the Atlantic to the Ohio, where once roamed the Indians, who wooed their sable loves in a very different speech? The answer must be that the country was colonized by English settlers among the Indians. When I had shown the colonization of proper Scotland subsequently to the reign of Malcolm Canmore, by Anglo-Saxons and English, by Anglo-Normans and Flemings, I presumed to think that I had incidentally shown how the English language came to supersede the Gaelic. When I had traced the progenitor of the Stewart family with his followers, from Shropshire to Renfrewshire, it was not necessary to demonstrate how they spoke the English tongue among the Gaelic people of Renfrew. See Caledonia, i., p. 495-613 of the Saxon

A Gaelic colony of a somewhat different tongue, a detachment from the *Scoticæ Gentes* of Ireland, arrived in Argyle at the recent commencement of the

colonization of North-Britain, and see the *inferences* from the *proofs* in p. 612. Yet this lexicographer is not satisfied how the vulgar language came to be spoken in Gaelic Scotland, and thus justifying the observation of Pope, that he would trust a dictionary-maker with *one word*, but not with a *sentence!* This dictionary-maker of a language which does not exist but as old English, is quite convinced that the vulgar language of Scotland was introduced by direct transmission of the children of Odin, though he cannot show any Gothic colonization before the arrival of the Saxons; trusting merely to the fallacious testimony of Gothic word-books. He was induced by his infirmity to call his work a Dictionary of the *Scottish* language; as "he boldly "affirms it to have as just a claim to the designation of a peculiar language as most of the other "languages of Europe:" For, "There is no good reason for supposing, that it was ever imported "from the southern part of our island." He pretends not, however, to give historically, the rise, the progress, and the establishment of that *original tongue*, any more than he fixes the colonization of the Goths who imported it pure from Gothland. I had already in my prefatory dissertation to *Lyndsay's Poetry*, by way of anticipation, given a *philological view* of the Teutonic language of Scotland from the demise of Malcolm Canmore to the revival of learning. [Works of Lyndsay, i. 118—147]. But against such an anticipation our lexicographer shut his Gothic eyes. In his pre-determined blindness he does not see, then, the English language growing out of the Anglo-Saxon during the reigns of Henry III. of England, and of Alexander III, of Scotland; he does not perceive, of course, that the Gothic language of England and the Gothic language of Scotland, were one and the same during those reigns. [Ib. 119—122.] Neither is he aware that those languages continued the same during the reigns of Edward I. and Robert Bruce. [Ib. 129—32.] Those languages remained the same at the commencement of the fourteenth century, at the beginning of the fifteenth century, and even at the revival of learning, when the sixteenth century began; while Dunbar, Douglas, and Lyndsay, the great poets of that age, avowed that they wrote the same English language as Chaucer, Gower, and Lydgate had written during prior times. [Ib. 138.] Yet, our dictionary-maker considers the language of Dunbar, Douglas, and Lyndsay, in the face of their own declarations, to be quite different from that of Chaucer, Gower, and Lydgate. With the policy of the well-known bird he hides his Scandian head, thinking he thus concealed his Gothic tail. With this policy he turns away his understanding from the Glossary to the obsolete words in Lyndsay's Poetry, which anticipates so many of the etymons in his *Scottish* Dictionary, It did not suit our lexicographer's prejudice, much less promote his purpose, to see the Scottish speech traced up through the old English to its genuine source in the Anglo-Saxon. Two facts were thus established (1), that the Scoto-Gothic language may be found in the old English (2), that its true origin may be traced up to the Anglo-Saxon; and this fair inference was drawn from those facts which annihilate our lexicographer's system, that the vulgar language of proper Scotland as it was undoubtedly introduced by colonists from England, is better Saxon but worse English than the Gothic language of South-Britain. The Dissertations and Glossary to the works of Lyndsay, with the facts and reasonings in *Caledonia*, combine together to carry up those truths to moral demonstration. The dictionary-maker who is not, as we thus see, to be trusted with a *sentence*, if he cannot outface the fact and out-argue demonstration would do well to talk with less boldness of the vulgar speech of Scotland being one of *the peculiar languages of Europe*. Preface, iv. [See Preface to Supplement to Scottish Dictionary, 1887.]

sixth century, and by a gradual progress overspreading the land from west to east, gave the law and their name to the ancient dominions of the Pictish people, whose language became amalgamated with the kindred dialect of the Irish. Every circumstance with regard to the Scots, a Gaelic people, their origin, their country, their lineage, their speech, their history, has been disputed by self-believing men, with such obstinate perseverance, as to scatter over the truth a vast mass of opiniative uncertainties. But demonstration has finally silenced on this topic the tongue of disputation (*z*); and historical verity has now displayed the Irish origin of the Scots, their subsequent migration to Argyle, in 603 A.D., their following annals and ultimate ascendancy within a mountainous country which had given them a settlement (*a*).

Thus, at the late commencement of the twelfth century, the ample limits of Scotland was inhabited, as we have seen, by the Celtic descendants of the aboriginal Britons, by the Gaelic Scots who had overspread the land, by the Anglo-Saxons of Lothian, and by the Gothic Scandinavians on the coast of Caithness. At that epoch a new but mixed people came in upon all those Celts and Goths. Anglo-Saxons and Anglo-Normans, English and Flemings, settled in every district in Scotland and by a slow progress became the respectable progenitors of the present inhabitants, who speak the English tongue which is not older than the twelfth century. By tracing the colonization of all those lineages and exhibiting examples of their languages, it was rendered impossible in the face of such demonstration for ignorance to mistake the origin of the people, or for learning to misrepresent the analogy of their speech (*b*). No one need now be surprised when he sees in the maps of every shire in Scotland, specimens of the languages of all those people, however different their tongues may be in their derivations or dialects. Yet lexicographers who cannot be trusted with a *sentence* doubt demonstration, and glossarists who are not to be charged with a *word* disbelieve self-evident truths.

§ VI. *Of new Kings and new Laws.*] With those new people during the the Scoto-Saxon period a sort of new dynasty of kings, new laws, and new

(*z*) Caledonia, i. bk. ii. ch. vi.

(*a*) Ib. p. 271-3. The fact being thus established puts an end to a thousand fictions and fancies about the antiquity of the Scots, and the length of the royal line. Many treatises of various erudition have been thereby confuted and several narratives of imaginary tales under the name of Scottish histories have been incidentally exploded. See Nicolson's Scots Hist. Library throughout.

(*b*) Nicolson's Scots Hist. Lib. ch. i.-iii. Caledonia, i. book iii. ch. xi.; book iv. ch. i., of the Saxon colonization of proper Scotland.

titles occurred. Three sons of Malcolm Canmore now successively ascended the Scottish throne, whose blood continues even now to reign over every district of the British empire. The Celtic customs which had prevailed among the Gaulish people during a thousand years, were gradually superseded for a new jurisprudence of Anglo-Norman origin, and the Gaulic titles of whatever nature that had so long existed at length disappeared, amidst the uncommon alterations at that remarkable period of the Scottish history (*c*).

§ VII. *Of the Degrees of Scotland.*] Were we to inquire with Camden *of the states or degrees of Scotland,* we should find with him that "the commonwealth "of the Scots, like as that of Englishmen, consisteth of a king, the nobility, "the gentry, and commons." "The king," continues he, in the words of their own records, "is the *direct lord* of the whole domaine; and hath royal "jurisdiction over all degrees, as well ecclesiastical, as lay. Next unto the "king is the king's son who is called Prince of Scotland. or, by a peculiar "right, Duke of Rothsay, or Steward of Scotland (*d*)." Camden was not so happy in what he said of the ancient *thanes,* who, as they were exhibited by the Scottish historians are undoubtedly fictitious (*e*). When the earls and earldoms were originally introduced into North-Britain, is a question which has been anxiously asked, yet has never been satisfactorily answered. It has been more instructively said that they originally appeared under that new dynasty, when the Gaelic *maormors* assumed the title of *earls* (*f*). During that period of changes even the princes of the blood did not enjoy any peculiar titles (*g*), and this intimation seems to evince that they had lost their ancient

(*c*) Caledonia. i. bk. iv. ch. i.

(*d*) Camden, in Scotland, 7.

(*e*) Caledonia. i. 456. Yet, of them he says, "If my judgement be ought, they were enobled "only by the office, which they administered: For, the word, in the ancient English-Saxon "tongue, signifies *the king's minister.*"

(*f*) Ib. i. 701.

(*g*) In Smith's Bede, p. 761, there is a charter of Alexander I. wherein he speaks of his brother David, "Ego et frater meus David." This is important to show that David during the early part of the reign of Alexander I. had not any title. When David went first to the court of Henry I. he had not any title. It was by marrying the widow of St. Liz, the Earl of Northampton, that he became *Earl* David. Caledonia, 702. In a charter of Malcolm IV. to the monks of St. Colne, his brother William was a witness by the name of "Willielmo fratre regis." Chart. 157. Of course, he had not any title. Kennet's Par. Antiq. 119. which evinces the same point. In a charter of William the Lion to the see of Aberdon. in 1170, his brother David is a witness, by the name of "David fratre meo." In 1189 the same David as *Earl of Huntingdon,* walked at the coronation of Richard I. Sandford's Genealogical Hist., 74.

designations without acquiring new. But we do not see so distinctly how the nobles from being Gaelic maormors became Anglo-Norman *counts* and English *earls*, though the change is sufficiently certain. Throughout the whole extent of the Scoto-Saxon period from 1097 A. D. to 1306, there only appeared in North-Britain thirteen earls, without any lords of parliament. *Ten* of those earls certainly existed under David I., perhaps, under Alexander I.; the Earl of Lennox under Malcolm IV.; and the Earls of Sutherland and Carrick under Alexander II. (*h*). Such, then, was the whole peerage of thirteen earls at the end of the Scoto-Saxon period when Robert Bruce ascended the throne. Of all those ancient earls not one of them is lineally represented by the same blood at this day, except the Earl of Sutherland by the Marchioness of Stafford; and, perhaps, the present Earl of Carrick as the representative of the Bruces. Neither Robert Bruce nor his son David II., added many to the list of nobles. They only made three creations of titles which were altogether new and consisted of the Earls of Moray, Wigton and Douglas. The *Stewartine period* of the Scottish history began in 1371, with the accession to the throne of Robert, the Stewart of Scotland. This first king of a new race revived four peerages and created three. Robert II. thus appears to have acted moderately, because both the revived and the new peerages were conferred chiefly on his own blood. Robert III., while he created very few degrees, was the first who introduced the high title of Duke (*i*). James I., amidst his supposed reforms for the depression of the nobles, created no fewer than eleven lords of parliament, and he revived an earldom. James II., succeeding to his murdered father in 1437, made seventeen lords of parliament, and revived or created eight earldoms. James III., having succeeded his father on his sudden demise in 1460, made nine lords of parliament, and revived or created four earldoms. James IV., a youth, was placed on the bloody throne of his father, who was assassinated in the gory field of Stirling, the 11th of June 1488. The faction who thus placed the crown on their minor king, appears to have been profuse in rewarding its associates with peerages. Five new creations were made by incompetent hands

(*h*) There were, indeed, *Gothic* earls of *Caithness* even in prior times, though this race failed during the thirteenth century.

(*i*) In 1398 he created David his eldest son, Duke of Rothesay and Earl of Carrick, and these titles have since remained as appropriate honours of the king's eldest son. In 1399 he made Robert his youngest brother, Duke of Albany, who already enjoyed the earldom of Monteith by marriage, and the earldom of Fife by resignation. In 1404 he settled a munificent appanage on his eldest son, who thus became *the stewart* and prince of Scotland.

during the first six months of the new reign, besides the creation and the revival of other peerages with much higher ranks. From the disastrous field of Floddon the bloody sceptre of James IV. was transmitted to his infant son. Only one peer seems to have been made during this reign, by the creation of Henry Stewart, the husband of the queen mother, Lord Methven, in July 1528; and from those details the result is, that during the effluxion of the nine preceding reigns which elapsed from the accession of Robert I., there were created three dukes, and twenty earls, with the revival of thirteen earldoms; while there were made forty-six lords of parliament, who were entitled to all the rights of the peerage, though their lands may not have been formed into baronies.

The infant Mary Stewart who succeeded her father in December 1542, created two dukes, Darnley and Bothwell, her well-known husbands, two earls, and three lords. Her moderation did not instruct her son, James VI., who, before his accession to the crown of England, created one duke, two marquisses, eight earls, and fourteen lords. In *the period of the reformation*, then, were added thus to the peerage, three dukes, two marquisses, ten earls, and seventeen lords. The accession of James VI. to the throne of England, which was attended by so many consequences, was followed by a great influx of peerages. He created no fewer than seventeen earls, seven viscounts, and twenty-seven lords, during his reign over England, in the short period from 1603 to 1625. Charles I. succeeding to his father in 1625, created before the end of the year 1647 no fewer than sixty-eight peerages, of which only one title was revived; consisting of one duke, two marquisses, twenty-six earls, seven viscounts, thirty-one lords, and one baroness. Of that numerous list of peerages many were created in 1633, to grace his coronation, say the peerage-writers; and not a few persons were made peers, either to prevent, or to suppress civil war. Charles II. before his restoration added to the peerage two earls, two viscounts, and four lords. This monarch from his restoration to his demise created no fewer than three dukes, two marquisses, thirteen earls, five viscounts, and eight lords. Of all those peerages, which seem to have arisen from the circumstances of the times, only two were revived titles, the Earl of March, and the Duke of Lennox. James VII. during his short and feverish reign, added to the list of peers only two earls, five viscounts, and one lord. King William, who had a kingdom to gain by a revolution, created only one duke, three marquisses, seven earls, four viscounts, and three lords. Queen Anne while she had the Union to effect, added no more than four dukes, nine earls, and two viscounts. Such, then, is the recapitulation of the origin and

progress of the peerage in North-Britain. The effect of all those creations and revivals was to leave in the list of Scottish peers when the Union commenced on the 1st of May 1707, one hundred and fifty-five [154] (*k*). Before the accession of George I. in 1714 two other earls and two more viscounts appear to have become extinct, while five were added to the list by the house of peers; and there thus existed at this epoch, one hundred and thirty-five. To these were added by the same authority, two other lords in 1723. But those one hundred and thirty-seven peers were reduced before the year 1747, by natural causes, and by legal means, to ninety-three (*l*). In the year 1807 there existed only of the long lists of former times, seventy-nine Scottish peers.*

§ VIII. *Of the subordinate Degrees.*] The epoch of the Scottish *baronets* is 1625. The first creation consisted of eleven. The number increased before the Union to one hundred and sixty-four. Among *the nobles* of a lower degree, saith Camden, are ranged knights, who verily are dubbed with greater solemnity than in any other place throughout Europe, by taking of an oath, and proclamation by a herald. Of a second sort, adds he, are they who are termed *lairds* and barons, among whom none were reckoned in old time, but such as held immediately from the king lands in chief, and had *jus furcarum*, the right of the *gallowstree*. Among the third sort, says he, are such as being descended from worshipful houses are termed *gentlemen*. All

(*k*) Robertson's Peerage of Scotland, p. 12. The number consisted,

of Dukes	10	
of Marquises	3	
of Earls	75	
of Viscounts	17	
of Lords	50	
		155
Of those, there seems to have been then extinct,		
of Earls	5	
of Viscounts	1	
of Lords	12	
		18
The whole remaining on the 1st of May 1707		137

(*l*) There had become extinct, by natural means, 18
by attainder, in 1715, 19
by attainder, in 1746, 7
44

So that, deducting those 44 extinct peerages, from 137, there remained, in 1747, merely 93.

* In 1886 the peerage of Scotland comprised 8 Dukes, 4 Marquisses, 44 Earls, 5 Viscounts and 26 Barons, in all 87.

others, as citizens, merchants, artisans, are reputed among the *commons* (*m*). There existed, moreover, throughout the Scoto-Saxon period, the *villeyns*, a very numerous class, who were important from their usefulness; and became still more useful from their emancipation during the Stewartine period of the Scottish history.

§ IX. *Of its several Judicatories.*] Of *the judicatories* or *courts of justice* the supreme court, as well for dignity as for jurisdiction, was accounted *the states*, which were called *the parliament* as in England (*n*). But this judicatory became merged after Camden's age by two Unions, of Scotland with England, and of Great Britain with Ireland. Next to the parliament is *the College of Justice* which James V. erected, and which was to consist of a president and fourteen senators. This court, which experience had matured and practice familiarized, was designed by those who made the Union with England to remain for ever (*o*). To this college of justice was added a criminal court, which consists of a chief who is known by the title of the Lord Justice Clerk, with five Commissioners who exercise a supreme jurisdiction in matters of crime (*p*). To both those courts was added at the Union, what was scarcely known of old in North-Britain, a court of exchequer, consisting of a chief and four barons, with the same jurisdiction over fiscal causes as the exchequer court of England had immemorially exercised. Exclusive of all those judicatories there are county courts, commissariat courts, and local courts, for the summary determination of smaller suits, which include causes both of a civil and spiritual nature.

§ X. *Of its Sheriffwicks.*] So much will be said hereafter of sheriffs and their districts, that it becomes necessary to treat of both in greater detail. The epochs of the Scoto-Saxon period, of record, and of sheriffdoms, are the same (*q*). The twelfth century witnessed all those epochs take place. Sheriffs

(*m*) Camden. in Scotland, 7.

(*n*) Ib. 8. See the ancient constitution of the Scottish parliament, in Caledonia, i. 742; And see, in the same work, 822—43, the subsequent changes of the constituent members of *the estates*.

(*o*) Act of Union.

(*p*) Over these criminal judges, there is a justice general, who very seldom acts.

(*q*) Buchanan talks ignorantly of Scotland being divided into shires as early as King Evan, who is supposed to have reigned a century before our common era. Hope's Minor Pract. 308. Wallace in his work on peerages, p. 112, with the same tongue of fiction, quotes upon this point the fabulous laws of King Reutha, of Kenneth II., and of Malcolm II.

are mentioned during the reigns of Alexander I. and David I., though they did not then extend over the whole superficies of North-Britain (*r*). Yet must we not allow that every place which had a sheriff in ancient times was a proper sheriffdom, as the sheriffs of Scone, of Edinburgh Castle, and other towns and fortlets. During the reigns of Alexander and David, the parishes were called shires, from the Anglo-Saxon term, which merely imported a division (*s*). Yet Galloway, Argyle, the Western Isles, Ross, remained till recent times under their ancient policy of Gaelic times (*t*). It is apparent, then, that sheriffwicks were gradually laid out as the Scoto-Saxon people gained upon the Celtic inhabitants, and as the municipal law prevailed over past rudeness. Before the conclusion of the Scoto-Saxon period, however, and the accession of Robert Bruce, the continent of Scotland, if we except Galloway, Argyle, and Ross, had been progressively settled under the useful regimen of sheriffdoms, which were governed according to the salutary rule of the Anglo-Norman law. Sheriffships had even in those ages become hereditary in particular families (*u*). The appointment of sheriffs was originally in the king, whose officers they were. But in the progress of innovation or the practice of refinement, when private rights had become fixed and hereditary, an act of parliament was necessary to divest the privileges of individuals as well as to establish the jurisdiction of the state (*x*).

Yet has there never existed in North-Britain during any age, such subdivisions of countries as *rapes, laths, tithings, hundreds*, or *wapentakes*, which may be all traced in England from a Saxon source. When those divisions took place a Gaelic government ruled in Scotland; and the Scoto-Saxon period did not herein begin till the end of the eleventh century. In those

(*r*) Sir Ja. Dalrymple's Col. Apx.; Nicolson's Hist. Lib. Apx. No. vii.; Anderson's Diplomata; Chartularies of Scone, Dunfermline, Kelso, and others.

(*s*) Sir Ja. Dalrymple's Col. 383. The parish of Bathgate, however, in Linlithgow-county was formerly a real sheriffdom. Sibbald's Hist. of Linlithgow, 21.

(*t*) Stat. Alex. II. ch. 2—17, in Skene, 14. Ja. IV. ch. 59, 60-1, enacted, indeed, that justices and sheriffs be made for *the isles*; while Argyle was, in some measure, placed under the sheriffwick of Perth; and in 1503 sheriffs were directed to be appointed for Ross and for Caithness.

(*u*) Wallace's Peerages, III.; the Statute Book. In 1300 it was enacted by 28 Ed. I. ch. 8. that the inhabitants of every county should make choice of their sheriffs, where the shriefalty is not of fee. This enactment which appears never to have been the law of Scotland was altered by 9 Ed. II. stat. 2.

dissimilarities of local division, the intelligent reader must perceive an obvious difference in the lineage of the people of the two kingdoms, who differed so widely in their domestic economy, in their personal habits, and in their usual pursuits. In the South we see a Saxon policy; in the North, we perceive Gaelic customs. Of course Celtic Scotland any more than Celtic Ireland had not any of those minute divisions which existed in England, of rapes, laths, tithings, hundreds, and wapentakes (*y*). The policy of sheriffdoms was introduced gradually into both those Celtic countries, after the government of both had become Anglo-Norman, and every intimation concurs to prove that a revolution in policy took place within North-Britain, when the children of Malcolm Canmore imperceptibly introduced some of the laws of England into those districts, wherein a new people superseded the Celtic customs which had come down from the original settlers.

§ XI. *Of its Ecclesiastical State.*] The ecclesiastical divisions of North-Britain must be referred to much earlier periods and to very different origins than the civil jurisdictions, which have just been mentioned as singular. The highest order of spiritual persons preceded the lowest, and bishops consequently existed before presbyters or priests, even at the dawn of christianity (*z*). Several prelates distinctly appear in the exercise of their appropriate functions during the Pictish period of the North-British history, though without any prescribed diocese (*a*). Nor did sees commence till towards the end of the subsequent era of the North-British annals. It was not till the reigns of Alexander I. and of his brother David that the Scottish bishops began to enjoy their several sees, with episcopal authority and baronial rights. At the demise of David I. in 1153 there existed ten dioceses in Scotland when the episcopal church had acquired her usual forms and enjoyed her accustomed revenues. The bishopric of Argyle was established by William the Lion about the year 1200 (*b*). The bishoprics of Man and Orkney were naturally conjoined, when those territories were acquired by the Scottish crown, and the see of Edinburgh was not established till the recent reign of Charles I. (*c*). The see of St. Andrews was erected into an archbishopric in 1471, and the see of Glasgow was made an archbishopric in 1489. But the great fabric of

(*y*) Ledwich's Antiq. p. 216; Harris's Hibernia, part ii. p. 66.

(*z*) Caledonia, i. 322-3.

(*a*) Ib. book 2 ch. 5.

(*b*) Ib. 685.

(*c*) Sir Ja. Dalrymple's Col. 321; Keith's Catalogue; Lord Hailes's An. i. p. 95—9

episcopacy was violently shaken rather than torn down at the Reformation (*d*). It was repaired and new-modelled in 1606 by an act for the restitution of the "estates of bishops." (*e*). However necessary as they were now declared to be, "as an essential estate of parliament," this necessity did not long preserve the episcopal order. The civil war of 1639 buried episcopacy in the same unhallowed grave with the constitution and independence of the nation. The restoration of the monarchy in 1660 also restored the episcopate, though not with its ancient powers (*f*). An establishment, however, which was not supported by the approbation of the people could not stand the rude shock of the Revolution. As the bishops refused to favour King William, the king declined to support the bishops (*g*), and the whole order was abolished, both at the Revolution and the Union, after a feverish struggle of a hundred and thirty years, which was not very favourable to morals, and still less salutary in its influences on religion (*h*).

(*d*) Caledonia, i., 859. It was by a construction of the act of 1597 that the revenues of the bishops were taken away and the order abolished, "contrary to the sense of the king and the "estates." 18 Parl., Ja. VI., ch. 2.

(*e*) 18 Parl., Ja. VI., ch. 2. By this act the prelates, who were now Protestants, were restored to their ancient rents and estates. Yet, as Clarendon remarks, the "bishops durst not contest "with the assembly in jurisdiction; so that there was little more than the name of episcopacy "preserved."

(*f*) Act, 2 Sess., 1 Parl., Ch. ii., ch. i.

(*g*) See Bishop Rose's curious letter in Keith's Cat., 41; and Gent. Mag., April, 1774.

(*h*) 1 Parl. Wm. and Mary, ch. 3. The revenues of the bishops were forfeited to the king, who allowed to every bishop out of his own estate, a hundred pounds a year. Warrant Book in the Paper Office. The following statement will show to the more curious reader the yearly value of the several bishoprics, when they were thus suppressed after every spoliation, as the annual incomes were certified by authority:

	In Victual. Bolls.	Fir.	Pecks.	In Money, Scots, 1-12th of Sterling.
The Archbishopric of St. Andrews,	1567	3	—	£5,453 6 0
The Archbishopric of Glasgow,	1196	1	—	2,914 13 2
The Bishopric of Moray,	105	—	—	1,809 12 8
The Bishopric of Aberdeen,	—	—	—	3,434 15 8
The Bishopric of Dunkeld,	—	—	—	1,662 17 6
The Bishopric of Galloway,	—	—	—	6,264 10 0
The Bishopric of Brechin,	285	2	—	3,041 7 4
The Bishopric of Caithness,	206	2	1	1,474 9 0
The Bishopric of Ross,	659	2	—	3,128 14 8
The Bishopric of Dunblane,	—	—	—	547 9 1
The Bishopric of Argyle,	—	—	—	1,705 13 4
The Bishopric of the Isles,	96	—	—	3,038 0 0
The Bishopric of Orkney,	—	—	—	6,233 19 4
The Bishopric of Edinburgh,	689	2	—	7,205 6 11

The Scottish bishops, though they were thus excluded from Parliament as barons, and were deprived of their revenues as prelates, did not consider themselves as deprived of their spiritual functions. They now found themselves after the revolutions of so many ages in the state of the original bishops of the Scotican church. When the existing bishops deceased, the survivors transmitted the succession of their order by fresh consecrations to the present times. After so many changes of sentiment and alterations of power, there still remain in North-Britain, six bishops, forty-four settled ministers of the episcopal order, and about eleven thousand persons of full age who communicate with the Episcopal Church of North-Britain.* The good conduct of the bishops, of the ministers, and of those laymen, merits commendation as Christians and as citizens. Of this opinion was the parliament when the legislature lately freed them from the penalties which had been imposed in less tolerant times (*i*).

There still continues in Scotland the remains of the most ancient church, after all the efforts of reformation, all the harshnesses of severity, and all the influences of kindness; so difficult is it to eradicate the religious habits of a people. The Roman Catholics of Scotland are ruled by several bishops, who are apostolic vicars like the Roman Catholic bishops in England, and who are allowed each a coadjutor when age or infirmity requires assistance. With a view to their authority Scotland is divided into two parts, the *Highland* and the *Lowland*; and the Roman Catholics of that country, who amount to about twenty thousand persons, are edified by fifty missionaries within their several districts. These Roman Catholics are generally poor and helpless, quiet and inoffensive, which are qualities that everywhere merit and receive the protection of wise governments (*k*). When we have deducted the Episcopalians

* The Scottish Episcopal Church now (1886) comprehends seven dioceses, ruled by seven bishops, and has 294 churches, mission stations, and private chapels in connection. The dioceses now existing are Brechin; St. Andrews, Dunkeld, and Dunblane; Glasgow and Galloway; Moray, Ross, and Caithness; Aberdeen and Orkney; Argyle and the Isles; and Edinburgh. There are 6 churches in communion with the Church of England.—Ed.

(*i*) 32 Geo. 3., ch. 63. The Scottish bishops exercise their jurisdictions within certain districts, which were pointed out to them by the limits of the ancient bishoprics. Among themselves they have no other pre-eminence than seniority, and the present able and worthy Bishop Skinner is, from that circumstance, *primus* of the episcopal college. But they enjoy no larger revenues than the presbyters, who are subordinate to their spiritual authority; and they are all supported by the emoluments of their respective chapels; the rents which are annually paid for the pews; the collections at the chapels; and the offertories at the altars. There is another class of episcopalians in Scotland. These adhere, though not strictly, to ministers who derive their ordination from the bishops in England; and this last class amounts to about four thousand persons. The two classes do not essentially differ about spiritual matters, and seem at length to have coalesced. [See note above—Ed.]

(*k*) 33 Geo. III., ch. 44. When the well-known Doctor Webster made his Survey in 1750, he found in Scotland 16,490 Roman Catholics; in the southern shires only 676 persons: and in the northern, particularly in Aberdeen, Banff, Inverness, and Argyle, 15,814. If there be

and the Catholics from the great body of the people of Scotland, amounting to about 1,618,000, the very considerable balance of population must be deemed *the Protestant* inhabitants, divided into various sects, and separated into different divisions of uncouth names.*

§ XII. *Of its Parishes.*] Whatever may be the antiquity which is assigned to the parishes in England, the origin of such districts in Scotland cannot be carried back beyond the ninth century (*l*). In North-Britain parishes were known divisions under Malcolm Canmore at the conclusion of the Scottish period (*m*). The churches were very numerous at the commencement of the Scoto-Saxon period in 1097, A.D. (*n*). Long before the arrival of Bagimont in 1275, the parishes seem to have assumed the position and the numbers which remained when the Reformation began (*o*). At the epoch of record, when the twelfth century commenced, the parishes were generally denominated shires, as Coldingham-*shire*, Herbert-*shire*, from the Saxon *scir*, a division (*p*). The form of expression only shows the lineage of the scribe, who employed the language of his country to denote those ecclesiastical districts which existed in Celtic times under very different denominations.

§ XIII. *Of the Ministers' Stipends.*] The Reformation which shook the whole fabric of the Scotican church, introduced considerable changes both in the regimen and in the number of the ecclesiastical divisions. The dioceses and the deanries were changed into synods and presbyteries. Many parishes were united into one parish, and many churches which piety had built were thrown into ruins, from hardships and penury arising out of the dilapidations of the

20,000 at present, this circumstance would show an increase of Roman Catholics in the intervenient period; but the numbers of the whole people have at the same time greatly increased. The bishops and missionaries were supported by property which had been invested in the funds of France and Rome. But, amidst the overwhelming revolutions of recent times, this property was lost, and the unhappy ecclesiastics were reduced to real want. The king, with the truest charity, ordered annual allowances to be made to the bishops of a hundred pounds, and to the missionaries of twenty pounds each.

* The Roman Catholic Church in Scotland is now (1886) governed by 2 Archbishops and 4 Bishops. There are 6 Dioceses, and about 330 churches and mission stations. The other churches in Scotland are shown in the "Tabular States" of counties.—Ed.

(*l*) Whitaker's Manchester, ii., 368-95; Antiquary Repertory, iii., 157; Caledonia, i., book iii., ch. 8.

(*m*) See the several Chartularies, the Reg. of St. Andrews, Sir Ja. Dalrymple's Col. Appx.

(*n*) Id.

(*o*) Bagimont's Roll; and the Ecclesiastical *Taxatio* under Alexander II.

(*p*) Chart. Coldingham, Sir Ja. Dalrymple's Col., 400; Orem's Description of Old Aberdeen; Fragment Scots Hist., 51.

church revenues by the ravenous laity. The present number of parishes in Scotland is only 897 [in 1881, 894]. There were probably double that number in ancient times. When this change was under the consideration of the ecclesiastical assembly of 1581, there were supposed to be in Scotland nine hundred and twenty-four churches. It was at that assembly proposed, as some of the parishes were small, to reduce that total to six hundred, and to give to every church a minister. By the promoters of that unfavourable change, arising from necessity, it was also intended that of this reduced number, one hundred of the ministers should have each 500 merks as a stipend; that two hundred should have each 300 merks; that two hundred should each have a £100; and that of one hundred ministers each should enjoy a 100 merks (*q*). From those propositions it is apparent that inequality of stipends was then designed to be the original constitution of the Scotican church. The six hundred churches were designed to be divided into fifty presbyteries, consisting of twelve parishes in each; and of this number three presbyteries were to make a synod. But the supreme jurisdiction of this reformed church was placed in the Assembly, consisting of appointed ministers and lay elders. Such was the polity which was thus proposed for the reformed church of North-Britain in the infancy of its regeneration, and the presbyteries assumed in that early age of reform nearly the same sites, regimen, and numbers, wherein we see them during the present times.

Yet was it found from twenty years' experience to be more easy to propose than to settle, and still more facile to overthrow than to build. By an act of a tumultuous convention in 1560 the whole church was torn down, when everything which had been established during five centuries was prostrated. The doctrines of that church "being found a false religion, what belonged to "it did, by the law, fall under confiscation (*r*)." Beyond this resolve reforming folly could not easily go! The church and her endowments were thus left—

> "To tug, and scramble, and to part by th' teeth,
> "The unow'd interest of proud swelling state."

The reformed ministers remained at that epoch without any incomes (*s*). One

(*q*) Extracts from the Acts of the Gen. Assembly of the Scotican Church from 1560 to 1605; Melville's MS. in my library. The above denominations were Scottish money.

(*r*) Melville's MS. Abstract.

(*s*) Sir George M'Kenzie's Observations on the Statutes, p. 227. From him, however, we may learn "that the whole property of the popish clergy except the teinds (tithes) was compre-

third of the *spirituality*, indeed, was appropriated in 1561 for sustentation of the ministers. Yet was a more formal act of parliament necessary in 1567, to enforce what had been granted rather than collected seven years before in less propitious times (*t*). In those days courtly rapacity was too powerful for legal restraint. The act of 1567 was enforced by a supplemental law in 1587 (*u*), which expressly declared the *spirituality* of benefices, or the teinds, to remain as formerly unannexed to the crown. Here, then, was reserved the proper fund for the officiating clergy. But penurious interestedness continued too strong for religious sentiment; and the ministers complained to the king in 1602, "that by importune suiting a great part of their thirds are "disposed in pension, to the great hinderment of the present provision of the "ministers (*x*)."

The year 1617 is the epoch of the first attempt to give permanent relief to "the ministery, who had been keeped in poverty, without being able, fruit-"fully, to travel in their charges (*y*)." Parliamentary commissioners were now appointed to *plant churches* and to *modify stipends* by a fair application of the wasted teinds. The lowest stipend was by this commission fixed at six chalders of victual, or five hundred merks Scots, which were equal to the highest stipend that had been proposed by the ministers themselves in 1581. But this authority soon expired without being able to simplify the complex or to fill the vacant, and a new commission was granted in 1621 with similar powers which were executed with similar inefficiency.

"hended under the denomination of the *temporality* of their benefices; while the teinds were called "the *spirituality*. Upon the abrogation of popery the king did begin to erect some of the *temporality* "of their benefices into lordships, which he bestowed on several noblemen, and other persons, who "were most active in the Reformation; and these were called *the lords of erection*." "But," says he, "the parliament of 1587, resolving to fix a constant revenue on our kings, and thereby preclude the "necessity of taxes, annexed the *temporality* of all the church lands, and benefices, to the crown, by "the act 11 Parl. Ja. VI. ch. 29." In theory this policy was well conceived. But such was the rapacity of those times, that King James before the year 1591 did not enjoy a single park which was quite free from individual pretension. In the Advocates Library there is a MS. which contains "the chekker's answer to the articles of the king's majesty's hand-writing." This answer of the *chekker* shows that the king had five parks, Holyrood-house, Linlithgow, Strivelin, Falkland, and the Torwood; but they also show that each of them was enjoyed by some individual under a real or pretended title. The king's sense of his own penury is strongly pointed in the concluding words of the paper which he addressed to the commissioners of his exchequer, "I am na mair to be lulled asleep with fair wordes."

(*t*) Act 1st Parl. Ja. VI. ch. 10.

(*u*) 11 Parl. Ja. VI. ch. 29.

(*x*) Melville's MS. Abstract of the Acts of the Church Assembly.

(*y*) 22d Parl. Ja. VI. ch. 3.

But a still more singular scene of turmoil was now ready to open. Charles I., who found himself without a revenue either for elegance or use, on his accession to the throne, made a general revocation of all acts which had been done in prejudice of the crown, particularly those comprehending church lands, teinds, and patronages (*z*). This measure which incited violent discontents, is mentioned as one of the causes of the subsequent civil wars. Discontent was calmed for a while by a new commission which mitigated the revocation by concessions, and palliated deprivation by a signification to *the land proprietors that they might buy their own tithes.* Such were the measures which led to an Act of parliament which transferred the tithes from the church to the landholders, who enjoyed the sources whence the *spirituality* proceeded (*a*). The nation had been so much habituated since the era of the Reformation to acts of forfeiture and declarations of resumption, that the law of 1633 was deemed a safe cure for many wounds. After so much distraction settlement was a great object, and this measure was of vast advantage to the landholders, as they were enabled to secure their tithes, if they had not been formerly valued either in money or victual, at the low rates of that age; and to buy their tithes at nine, or even six years' purchase, according to the circumstances of titles and the varieties of property. The clergy had now a mere claim upon the appropriate tithes, wherever they might be legally found (*b*). For effectuating *this legal claim* many commissions were issued, from that epoch of apparent settlement to the greater era of the Union, for valuation of teinds, plantation of kirks, and modification of stipends. One of the last acts of the Union Parliament empowered the Court of Session to sit as a permanent commission for those important ends of religion, of policy, and of justice (*c*).

In executing that invidious trust, which implicated the interest of the landholders and the stipends of the ministers, the Court of Session as commissioners of teinds proceeded with their accustomed prudence. They looked

(*z*) M'Kenzie's Observations, 372; Forbes's Treatise on Tithes, 258-60.

(*a*) Act 1st Parl. Charles I. ch. 17. Sir George M'Kenzie in expounding this statute remarks, indeed, "that though teinds be declared the *spirituality of benefices*, yet they are appointed to be sold, "and the heritors are to be infeft in them, as in their other lands, *which seems inconsistent with their "being the spirituality of benefices, and the patrimony of the church;* but it may be answered that they "are, even in that case, burdened with payment of ministers' stipends *till they be competently provided.*" Observ. on the Stat. 231.

(*b*) Sir George M'Kenzie remarks "that the teinds of one parish cannot be assigned for paying the stipend of another. For by this act (1633) it is said that the teinds shall be burdened with the stipend of the minister serving the cure of the kirk. Observ. on the Stat. 380.

(*c*) 1st Parl. An. 4 Sess. ch. 9.

back upon the past without being able to see distinctly the future (*d*). In modifying stipends upon general principles they did not always please. The ministers thought they were allowed too little of what ought to have been all their own. The landholders complained that too much had been given of what their fathers had hardly acquired amidst the struggles of reform, and the dangers of resumption. But interest is a fastidious passion, and neither party considered sufficiently that general rules must sometimes entrench on particular cases, while justice in her blindness is searching for truth and right. Neither was dissatisfaction much molified by a sort of maxim which was early adopted by the commission of teinds after the Union, when it was settled, though perhaps without much consideration of the theoretic principle or regard to practical consequences, that a stipend which had once been augmented could not be a second time augmented. During many years of plenty in the 18th century this preventive rule was not much felt (*e*). But litigation soon after ensued which was not soon concluded. At length the minister of Kirkden in Forfarshire, who was driven by necessity or was impressed with wrong, carried his case by appeal into the House of Lords,

(*d*) In 1617 when the first commission of teinds was issued the stipends were by law modified, the lowest at 500 merks Scots, or £27 15s 6⅔d Sterling, or five chalders of victual; the highest at 1,000 merks, or £55 11s 1⅓d Sterling, or 10 chalders of victual. In 1633, when the tithes were transferred to the landholders, the *minimum* was raised to 800 merks, or 8 chalders of victual, and the *maximum* was left undefined. From the act of 1649, ch. 15, it appears that the value of grain had risen to be from 100 merks, or £5 11s 1⅓d, to £100 Scots, or £8 6s 8d Sterling, the chalder. In some counties it was reckoned at £5 Scots, the boll, or £80 Scots, or £6 13s 4d Sterling, the chalder. In others £100 Scots, or £8 6s 8d Sterling, the chalder. This last estimate became, in the efflnxion of time, the usual *court conversion*, as it is called, that is, the rate of conversion which is followed by the court of teinds, without distinction of one part of Scotland more than another. This *court-conversion* was followed, both in adjusting ministers' stipends, and in the valuations and sales of tithes, when a conversion into money was thought necessary, although, for twenty or thirty years past, it has been a good deal lower than the average value of the article. In 1750, when an unsuccessful application was made to parliament for a general augmentation of the minimum it was represented on the part of the clergy, who felt the low prices of that period, that £100 Scots the chalder, was rather too high a conversion, as £80 Scots were nearer the true price in most parts of Scotland. But a rise of the prices was even then at hand, and in the progress of scarcity and of dearth, the average prices have risen to be a third above the *court conversion*, and much more than a third during recent times.

(*e*) From the Union in 1707 to 1738 there appear to have been no augmentations. The first application for a second augmentation was made in 1742, and fifty-three augmentations were soon after applied for and obtained. The year 1750 may be deemed the late commencement of the prosperity of Scotland; and the augmentation of the ministers' stipends kept pace with the gradual advance of every order in the state.

where it was considered by the Lord Chancellor Thurlow, on the 8th of July 1784. This great judge from a large view of the act of 1707 (*f*), gave it as his judgment that the construction of the Court of Session was too narrow as a rule, and too inefficacious as a practice; and he intimated that the court as standing commissioners, had a right to consider all circumstances, and as fair arbitrators, between the ministers and the landholders, to provide suitable stipends out of the existing tithes to such ministers as might claim their justice. In legal construction, indeed, the two acts of 1707 and of 1633 must be considered together; and as the last had provided that the Lords of Session should grant augmentations of ministers' stipends according to the established rules, the question of the suitableness of stipends must for ever occur. The members of the church assembly who declared five hundred merks or £27 15s 6⅓d Sterling to be a competent stipend in 1581, spoke from the circumstances in which they were placed. They did not foresee a change of manners, the alteration of prices, and the depreciation of money which interest would prompt, industry create, and refinement would sanction. The competence of 1581 ought to have been much more than doubled to provide a competence in 1707; and the competence of 1707 must have been again doubled to obtain a proportional competence in 1784. Yet captiousness at the call of interest still insisted that Lord Thurlow's judgment had not decided the general principle, whether a stipend which had once been augmented in recent times, could be legally augmented a second time; and the minister of Tingwall was again obliged to appeal to the highest judicatory for substantial justice. To the same judge it fell to give a similar judgment on the 22d of May 1789, though without silencing litigiousness, or establishing right. Meanwhile many stipends were augmented as might be expected, indeed, from the depreciation of money, and the pressure of the times (*g*). The recent

(*f*) 1 Parl. An. 4, Sess. ch. 9.

(*g*) The late reverend Doctor Webster formed a very minute estimate of the ministers' stipends of Scotland in 1755. After three years similar correspondence with the ministers I have also made a similar estimate in 1798:

The amount of the whole stipends in 1755, according to his estimate was £62,115 18s 2d.

The amount of the same stipends in 1798, according to my estimate was £122,988 11s 9d.

These accurate statements exhibit a great augmentation of the whole stipends. Yet the intermediate changes in manners, in prices, and in money, must always be recollected when a true judgment is to be formed. Sir George Shuckburgh-Evelyn has, by a very just and scientific appreciation, shown the value of money to have decreased in the proportion of 314, in 1750, to 531, in 1795; and to 562, in 1800. See this curious and important Paper in the Philosophical Transactions

practice of augmenting stipends and adjusting claims partly in money and partly in victual according to the circumstances of the parochial products, has somewhat tended to mitigate that pressure, and to prevent the recurrence of such questions of competence (*h*).

But from such topics let us at length advert to general objects of a more exhilarating nature; to the geographical outlines and superficial contents of the country; to its populousness at successive epochs; to the employments of the people; and to their general character.

§ XIV. *Of its superficial Contents.*] It was the coalition of the Picts and Scots in 843 A.D., the amalgamation of the Strathclyde Britons in 975 A.D., and the annexation of Lothian in 1020 A.D., that formed the kingdom of Scotland, which, in the progress of aggrandizement, acquired its modern name from the ascendency of the Scots, in the Scoto-Saxon language. The Scottish kings obtained the Hebrides, the Orkney and Shetland isles, in more recent times. Of the continent of Scotland from Cape Wrath on the north-west of Sutherland, to the Mull of Galloway, the length is about 275 [274] statute miles. The extreme breadth from Buchanness on the east, to Ru-na-Moan on the western coast of Ross-shire is 150 [146] miles (*i*); and the necessary result of every estimate is that Scotland with her numerous isles in the superficial measurement contains many millions of acres; and in the general contents comprehends numerous lakes, and many mountains; much that is barren, and little that is fertile except in its mineral products below. But the outline of the whole

of London, 1798, Part 1. In the short period which has elapsed since I made my estimate some augmentations have been granted, as indeed we might infer from Sir George Shuckburgh-Evelyn's scientific table.

(*h*) After infinite litigation an act of parliament was passed on the 30th of June 1808, for regulating and defining the powers of the commissioners of teinds, by which augmentations of stipends after being modified, were restrained under certain circumstances till the expiration of fifteen or twenty years. 48 Geo. 3 ch. 138. This act seems to have been a sort of compromise between the landholders who were to pay the frequent augmentations, and the clergy who were to receive them.

(*i*) From Montrose-ness on the east coast of Forfarshire, to Ardnamurchan point on the west, is 140 [144] miles: from Fife-ness to the western shore of Lorn is 115 miles. The breadth of Scotland from Berwick to the Firth of Clyde is 111 miles: from Buchan-ness to Husker islands on the western extremity of the Hebrides is 221 miles. From the Mull of Galloway to Duncansby-head is 290 miles; and from this promontory to the extremity of the Shetland isles is 167 miles in a straight line: so that the whole extent of Scotland including those islands is 457 miles in length, from north-north-east; and 221 miles in breadth, from east to west, as before stated.

country as well as the detail of every particular shire, as to its extent and contents, as well as the population of the whole at three successive periods with the numbers of fighting men, will more distinctly appear under various views in the TABULAR STATEMENT which is annexed; and so extensive will its informations be found, that its various details if they were spread out on successive pages would fill an ample volume.

The general nature of the annexed statement was suggested by the survey of the late Reverend Doctor Webster, in 1755. But this *Tabular State* which is now submitted to the reader's judgment from the recent map of Scotland, that has been reduced from the large map in the king's library, will be found to be more extensive in its general notices, and more accurate, perhaps, in its particular parts, arising from the new notices of subsequent surveys. The first division contains the shires. The second comprehends the ancient divisions of Celtic times. Then follow the *length* and *breadth* of each shire, with its *contents* in square miles and statute acres. The number of parishes is next denoted. There now succeeds the amount of its population in each shire at three successive periods; in 1755, in 1791, and in 1801. The numbers of people in the first period were taken from Doctor Webster's Tables, which were estimated from the returns that were made to him by the ministers of the respective parishes, between the years 1750 and 1755 (*k*). The numbers In 1791 were taken from the Statistical Accounts of the several ministers, who were most competent to ascertain the various facts (*l*). The numbers in 1801 were derived chiefly from the returns which were made under the Parliamentary Survey of that year (*m*). The Survey of 1801 may still be regarded as under the real numbers, owing to concealments and misinformations.

(*k*) The population of several districts was by him stated too high, by making additions for persons non-examinable, who had in fact been comprehended in the returns. Several of those over-statements have been now corrected from information which the ministers have subsequently supplied out of their parish records. Yet are there still some instances wherein those tables are suspected of being somewhat over-rated, so as to induce a belief that the whole people in 1755 may be regarded as rather above than below the real numbers in that year.

(*l*) Where those accounts are either defective or inapplicable, they have been corrected from subsequent inquiries which the ministers or other well-informed inhabitants were studious to answer. From the diligence with which the population of 1791 has been made up, it may now be deemed much more accurate than that of 1755.

(*m*) Several errors in the returns of 1801 have been corrected, and various deficiencies have been supplied from enumerations that were subsequently made by ministers at my request. By these means defective returns have been amended to the amount of almost 20,000 souls.

A TABULAR STATEMENT of the *several Shires* of Scotland, with their Ancient Divisions.

[*To face page 26.*]

THE SOUTHERN SHIRES.	The Ancient Divisions in each Shire.	The Extent of each. Greatest Length in Miles.	Greatest Breadth in Miles.	The Contents of each. Square Miles.	Statute Acres.	The Number of Civil Parishes.	The Number of Inhabitants. * 1755.	1791.	1801.	1881.	Persons to a Square Mile. 1881.
Roxburgh,	Teviotdale and Liddesdale,	42	30	669	428,493	35	31,520	32,713	33,721	53,442	80
Berwick,	The Merse, Lauderdale, and Lammermuir,	29½	20⅞	464	294,804¾	33	24,114	29,734	30,206	35,383	77
Haddington,	East-Lothian,	26½	19	280	179,142	25	28,697	29,239	29,986	38,502	142
Edinburgh,	Mid-Lothian,	36	24	367	234,926	32	90,438	123,093	122,597	388,977	1075
Linlithgow,	West-Lothian,	19½	14½	126	81,113½	14	16,438	17,271	17,844	43,510	363
Peebles,	Tweeddale,	29	21	354	226,899	16	8,847	8,045	8,735	13,822	39
Selkirk,	Ettrick-Forest,	28	17	260	166,524	11	4,968	5,233	5,388	25,564	99
Dumfries,	Nithsdale, Annandale, Eskdale, Ewesdale,	46½	32	1,103	705,945¾	43	41,913	52,466	54,597	76,124	72
Kirkcudbright,	The east part of Galloway,	41¼	37½	953	610,342½	28	21,205	26,793	29,211	42,127	47
Wigtown,	The west part of Galloway,	30½	28½	512	327,906	17	16,466	21,088	22,918	38,611	79
Ayr,	Carrick, Kyle, and Cunningham,	60	28	1,149	722,229	46	58,519	74,694	84,207	217,504	193
Lanark,	Clydesdale,	50	33	888	568,867	44	81,781	126,354	147,692	904,412	1026
Renfrew,	Strathgryfe,	30½	13	253	162,427	24	26,735	63,062	78,501	263,374	1075
Dumbarton,	Lennox and Arrochar,	24¾	18½	270	172,677	12	13,311	18,229	20,710	75,327	312
	Cumbernauld and Kirkintilloch,	12	4								
Stirling,	Strivelin,	45¾	22½	466	298,578	26	39,761	47,373	50,825	112,443	251
THE NORTHERN SHIRES.											
Fife,	Fife and Fothryfe,	41½	20	513	328,427	63	81,333	88,013	93,743	171,931	349
Kinross,	A part of Fothryfe,	12½	10	78	49,812	7	5,944	6,181	6,725	6,697	92
Clackmannan,	Strathdovan,	9¾	8¾	50	31,876	6	8,824	9,738	10,858	25,677	539
Perth,	Gowrie, Stormont, Strathardle, Glenshee, Athole, Breadalbane, Rannoch, Monteith, and Strathearn,	77	68	2,601	1,604,690	81	115,525	125,149	125,583	129,007	51
Forfar,	Angus, including Glenisla, Glen-Prosen, and Glenesk,	36	36½	896	569,840	56	68,784	89,296	99,053	266,360	304
Kincardine,	The Mearns,	30¾	29½	383	248,195	21	24,434	26,576	26,349	34,464	90
Aberdeen,	Buchan, Formartine, the Garioch, Strathbogie, Strathdon, Mar, including Braemar, Strathdee, Cromar, and Midmar; Birse, Glenmuick, and Glen-Tanner,	85½	47	1,970	1,260,625	85	115,595	129,870	121,065	267,963	137
Banff,	The Boyne, the Enzie, Strathisla, Strath-Fiddich, and Strathaven,	59	31	686	439,219	30	37,574	38,671	37,216	62,731	98
Elgin,	The east part of Moray,	40	29	475	312,378	22	28,687	27,285	27,760	43,788	92
Nairn,	A small part of Moray; and Ferintosh,	22	15	178	114,400	10	6,993	7,692	8,257	10,455	58
Inverness,	The west part of Moray, Badenoch, Lochaber, Moidart, Arasaig, Morar, Knoydart, Glenelg, Strathglass, with the isles of Skye, Raasay, Harris, North and South Uist, Benbecula, Barra,	85	55	4,231	2,708,237	36	61,481	70,559	72,672	90,454	22
Argyle,	Argyle, Kintyre, Knapdale, Cowal, Lorn, including Appin, Benderloch, and Muckearn; Morvern, Kingairloch, Ardnamurchan, Suinart, Ardgour, and Lochiel; with the Isles of Mull, Islay, Jura, Gigha, Lismore, Tiree, Coll, and the small Isles,	115	87	3,255	2,083,126	40	60,553	72,891	81,277	76,440	24
Bute,	The Isles of Bute, Arran, and the two Cumbrays,	35½	11⅛	225	143,997	7	7,125	11,200	11,791	17,666	81
Ross,	East-Ross, Ard-Ross, Ardmeanach, or the Black Isle, Kintail, Lochalsh, Kishorn, Torridon, Gairloch, Loch-Broom, Strathcarron, and the Island of Lewis,	75	67	3,129	2,003,065	33	39,045	46,059	56,318	78,547	25
Cromarty,	A part of Ardmeanach, Coigach, and the other lands which belonged to the Earl of Cromarty,						7,753	8,843	8,544		
Sutherland,	Sutherland, Strathnaver, Durness, Eddrachillis, and Assynt,	63¼	59	2,125	1,360,458	14	21,147	23,187	23,117	23,370	12
Caithness,	Caithness, or Kentyrynoch,	43	24	712	455,708	10	21,402	22,976	22,609	38,845	57
Orkney,	The Orkney Islands,	50	29⅓	375	240,476	18	23,381	24,050	24,445	32,044	85
	The Shetland Islands,	70	35	551	352,876	12	15,370	20,385	22,379	29,705	54
	In the whole of Scotland,	-	-	30,902	19,777,490	894	1,255,663	1,514,999	1,608,420	3,735,573	125

[* The numbers given in this column include portions of civil parishes included in each county.]

To the Tabular number in 1801 of - - -	1,618,303,
May be added the merchants' seamen - -	11,500 (*n*);
The men in the army and militia - - -	30,600 (*o*);
The men in the service of the navy and custom house	19,620 (*p*).
	1,680,023.

If to this total of 1,680,023 souls, the omissions of 1801 were added, the real numbers at that epoch in Scotland would amount to 1,700,000 souls. By comparing the numbers in 1791, with those in 1801, we may see that in this period of ten years the people of Scotland increased more than 104,000, or rather more than 10,400 a year; whence we may infer that the same country will probably contain 2,000,000 in 1830 A.D. The column of fighting men was adjusted by finding the number of males between sixteen and sixty years of age, and deducting from this amount one in twenty for those who from accidental circumstances might be unfit for service. It may easily be supposed that the sum of the fighting men must vary according to the greater or less proportion of the males and females in different shires, and the numbers of fighting men which were thus found were 376,760 in North-Britain. The last column of this Tabular State gives a varied view of the population of the several districts of that country, by showing the number of persons who reside on each square mile, and thereby showing incidentally that Mid-Lothian, as it contains the metropolis, is the most populous, and Renfrewshire, as it is the most commercial, is the next in numbers within every mile; having from its greater employments in agriculture, manufacture, and commerce, increased with the most rapid course during the last fifty years.

§ XV. *Of its Agricultural State.*] From such details it is natural to diverge to other topics of a general nature, to intimations of agriculture and traffic in successive periods, and to those various and important considerations which are so intimately connected with both. The very name of CALEDONIA

(*n*) In 1800, the numbers of seamen who belonged to the merchant ships were certified by the custom house to amount to 14,820; very few of whom were included in the returns of 1801.

(*o*) In March, 1801, the land forces of Great Britain were 198,351; whereof the proportion for Scotland was 30,600.

(*p*) In March, 1801, the seamen and marines in the king's service were 127,176; whereof the proportion for Scotland was 19,620.

plainly imports, as we have seen, that in those ages when this appellation was significant and instructive, the country was clothed with *woods*. It continued to be covered with woods during the Roman period of the North-British annals which ended in 446 A.D.; during the Pictish and the Scottish periods that closed in 1097; and it was still sheltered with copsewood throughout the Scoto-Saxon period, which ended amidst bloody warfare in 1306 A.D. (*q*). The emperor Severus began the destruction of the Caledonian woods (*r*); the ambitious Edward III. well-nigh completed their extinction (*s*). But the waste of war and the consumption of fire were not so destructive to the Scottish woodlands as the devastations of time and chance, and the ten thousand harms that are hatched by neglect and idleness (*t*).

The Caledonian woods long gave shelter and pasturage to various animals which no longer exist within North-Britain (*u*). Throughout many an age of rude society, hunting and pasturage were the principal occupations as they were the principal subsistence of a wretched people. Long after agriculture began her operations at the commencement of the twelfth century, the Scottish woodlands furnished mast and pasture and harbour to numerous herds of swine, droves of cattle, studs of horses, and flocks of sheep (*x*). The introduction of a new people who possessed the habits and the knowledge which they had acquired in countries of more refinement, gave unwonted energy during the twelfth century to all the pursuits of an improving husbandry. The woods were now cleared away and villages were reared, meadows were drained and the fields were manured, hay was preserved and corn was cultivated, mills were erected, malting was practised, and brewhouses were built in every hamlet. During that period the kings and earls, the bishops and abbots, were the great farmers who carried on their operations by means of their cottars and villeyns. They reared numerous beasts of every kind, they cultivated corn of every sort with such skill and success as to be scarcely credible in modern times. Horticulture was practised and orchards were planted (*y*). As the result of all those georgical pursuits we hear of the import and export of corn amid the frequent returns of scarcity and of famine (*z*). The rude produce of the country, its wool, and skins, and hides, were the articles of exportation to more industrious countries which supplied the Scottish people with such luxuries as were then in vogue. Before the sad

(*q*) See Caledonia, i., 791-3. (*r*) Ib., 186-188. (*s*) Knyghton, 2674-5.
(*t*) Caledonia, i., 792. (*u*) Pennant's Tour. (*x*) Caledonia, i., bk. iv., ch. vi.
(*y*) Ib., 801-2. (*z*) Ib., 797.

demise of Alexander III., in 1286, they had acquired, under a beneficent government, much happiness, plenty, and peace.

But, a grievous change immediately ensued. The competition for the crown ended in wasteful wars, which endured, with short intermissions, for more than half a century. Even through many a subsequent age, it was the usual practice of the English armies, in their frequent inroads into North-Britain, to burn the villages, and waste the country (*a*). It was impossible for any industry to repair such frequent devastations, or for any diligence to pursue the usual operations of systematic agriculture; a single invasion of a wasteful foe destroyed the provident labour of many years. While the kings, and nobles, the bishops and abbots, were the principal husbandmen of North-Britain, there were few free farmers; the great body of the people being villeyns. In the progress of refinement, and the spread of beneficence, the villeyns gained freedom, and property, while the free farmers obtained long leases of the lands, and also of the stock, to manure them; as the same practice, arising equally from the want of agricultural capital, had also long existed, in England (*b*). Before the middle of the fifteenth century, a considerable change, in this respect, had taken place. The farmers had acquired some stock, while the landlords had wasted theirs. The property of the tenant was now too often applied in paying the debts of the lords. In 1469, an act of parliament was passed, for preventing any more of the property of the husbandman from being applied to the discharging of the debts of the landlords, than the current rents (*c*). It marked an additional progress, when it was provided by law, that the sale of the estate should not affect the rights of the tenants. But, what availed such protections to the tillers of the earth, while family feuds, so often wasted every district of a wretched land (*d*).

(*a*) Knyghton, 2674-5; Murden and Haines's State Papers; Border History, 515, 550-6. The Scots, no doubt, retaliated.

(*b*) Caledonia, i., 790.

(*c*) James III., ch. 36: "That the pure tenants sall pay na further than their tenant-mail for their "lords debts be the brief of distress." The Parliamentary Record contains the clearest proofs of the necessity of such a law; as it shows the rapaciousness, and rigour with which the stock of the tenants was constantly carried off by unfeeling claimants. Yet the same record evinces that this statute was not very efficiently executed.

(*d*) We may perceive, in the Parliamentary Record, 234, an enumeration of the several feuds which embroiled every shire in Scotland during the year 1478. It may gratify a reasonable curiosity to see a series of the prices of various articles, which are chiefly connected with agriculture,

Connected with agriculture, and prices, are the *fiers of the year*. These are the rates, which are yearly ascertained, by the sheriffs, of the several sorts of grain, the growth of the preceding crop; and being thus solemnly settled, by the chief magistrate of the shire, the fiers serve as a customary rule, for ascertaining the prices, not only in contracts, where the parties cannot agree, but in sales, where it is stipulated to accept of the rates, as fixed by the sheriffs' *fiers of the year* (*e*). The origin of this practice in the georgical economy of Scotland is extremely obscure. My researches have not found it mentioned in the Scottish statute-book (*f*). As it is a fiscal practice it probably began

during those disastrous times, and which were extracted from the curious Records of the city of Aberdeen.

In A.D. 1435, wheat was 7s. Scots the boll; malt 4s. a boll; and meal 3s. 8d. a boll.

In 1448, a boll of meal sold for 4d, [4s. Scots]; malt, at 4s. Scots a boll; wheat, 7d. [7s. Scots] a boll.

In 1453, the ale was ordered to be sold for 8 pennies Scots a gallon.

In 1475, wheat was 7 pence [7s. Scots] a boll.

In 1478, ale was 12 pennies a gallon, the highest; the penny loaf of wheaten bread was directed to be 20 oz., while wheat continued within 7s. Scots a boll.

In 1507, the best mutton, the bulk or carcase, 2s. 8d. Scots.

In 1508, a barrel of salmon was 55s. Scots.

In 1517, wheat was 12s. Scots a boll.

In 1522, the best mutton, the bulk or carcase, was 3s. Scots; the best ale, 8 pennies the gallon.

In 1523, lambs were 20 pennies each.

In 1526, ale was 16 pennies the gallon.

In 1527, wine was £20 Scots a tun.

In 1528, the loaf of oaten bread 16 oz. for 1d.; while the meal continued at 16s. Scots a boll.

In 1531, sheeps tallow was 6s. Scots a stone [of 16lb.]; nolts tallow was 5s. Scots a stone.

In 1532, beer was 22s, Scots a boll.

In 1545, wine, red, and white, was 14 pennies the Scots pint [half a gallon.]

In 1547, the best mutton, the bulk or carcase, 6s. 8d. Scots; inferior muttou 5s. Scots; sheeps tallow, 10s. Scots, a stone; nolts tallow, 8s. Scots a stone; wine at £16 a tun, to be retailed at 8d. Scots a pint [half a gallon]; wine at £20 a tun, to be retailed at 10d. a pint; and wine at £24 a tun, to be retailed at 12 pennies the pint.

In 1550, ale was 20 pennies Scots a gallon; the best mutton, the bulk, 7s. Scots. Provisions rose much in price during the 16th century. With all those prices, the more curious reader may compare the ancient prices reduced to their value in modern money in Ruddiman's Table III. Introduction to Anderson's Diplom. Scotiæ.

(*e*) Those fiers have been lately referred to by parliament, in the act 48 Geo. III., ch. 138, for regulating and defining the powers of the commissioners of teinds, in augmenting the stipends of the clergy of Scotland.

(*f*) It is not once alluded to in the act of 1618, "anent the settling of measures and weights." It is inferible from this act upon the very point, that the annual practice of fixing *the fiers* by the

from some act of the pseudo-legislation of the privy council or some order of the exchequer. The practice was begun in the agricultural county of Haddington during the year 1627 (*g*). It was gradually introduced into other shires owing to particular circumstances, and a new mode has been superinduced upon the old of ascertaining the prices of the several sorts of grain during our own times, by the parliamentary regulations respecting the exportation and importation of grain (*h*). The origin of the word *fiers* is as obscure as the commencement of this singular practice. The word is not Saxon, and it may undoubtedly be traced to the old French *Feurre*, and perhaps even to the ancient Gaulish Ffair (*i*)

sheriffs did not then exist. This practice is not mentioned in the acts 1633, 1 parl., Ch. I., ch. 17 and ch. 19, "for valuation of teinds not valued, rectifying the valuation of the same already made, "and other particulars therein contained." Yet the practice did exist in some shires at this epoch, and it was first authorized, perhaps, by an order of the Court of Session, dated the 21st of December, 1723. Acts of Sederunt, i., 253.

(*g*) Transactions of the Antiq. Society of Edinburgh, v. i., p. 90, wherein there is "an exact "copy of the fiers or prices of grain of the county of East Lothian *since their commencement in the* "*year* 1627 to the present date. Extracted from the Sheriff Court books of Haddingtonshire: the "prices being converted into sterling money." The mode of settling those fiers by William Law, the celebrated sheriff-depute of this shire, is set forth as follows: "In place of calling a jury he "has been in the use, annually, in the end of February, or the beginning of March, to summon "before himself sixty or eighty buyers and sellers of all the different kinds of grain of the "preceding crop from the several quarters of the county; these he examined upon oath as to "the different prices at which they had bought and sold, and from this evidence struck the "fiers in the following manner. He collected the total quantity proved of each species of grain, "and from this he found the medium price of one boll; then he collected the total quantity of "what had been sold above the general medium and found the medium of that; he collected in "the next place all that had been sold under the general medium and found the medium thereof. "To each of those mediums he added $2\frac{1}{2}$ per cent., and the medium of what was sold above the "general medium, with the aforesaid addition, so as thus to constitute the 1st fiers; the general "medium with the same addition constituted the 2nd fiers; and the medium of what sold under "the general medium with the like addition constituted the 3rd fiers. The reason of the addition "of $2\frac{1}{2}$ per cent. was, that about four-fifths of the grain sold in East Lothian by the fiers was "sold on six months credit, which he considered as equal to $2\frac{1}{2}$ per cent., or for what victual it "was proved had been sold for ready money, a proportional allowance was made." Such was the intelligent practice of that able and upright magistrate. Almost every other sheriff has a different practice in settling the fiers of their several shires: so that more weight is allowed to this practice, as a general rule, than perhaps it deserves. The late Doctor Smith thought highly of it. Wealth of Nations, 1., 290.

(*h*) 30 G. III., ch. 1., ch. 42; 31 G. III., ch. 4; 31 G. III., ch. 30.

(*i*) See Lacombe, in vo. *Feurre*, prix, taux, estimation, taxe; Bullet, in vo. *Ffair*, foire, the *fair* of the English; and Owen's Welsh Dict. in vo. *Fair*, a fair; See Borel, in vo. *Feur*, who derives this word from the Latin *forum*; and so Menage in vo. *Feur*. But the true derivation, as

At length arrived the Restoration and the Revolution, which were both epochs of improvement in agriculture as well as in government. Laws were passed for the planting and inclosing of ground (*k*). Acts of the legislature were made to promote the laying out *runrig*, and to the dividing of commons (*l*). Bounties were given by the first parliament of William on the exportation of corn. In 1696 the parliament, amidst the *dear years of the Revolution*, promoted the export of corns without the payment of duty, but with the encouragement of a bounty (*m*); the legislature "considering that "*the grains* are the greatest product of the nation." The dividing, the appropriating, the enclosing of the common lands were attended with the most beneficial effects, at least in the southern shires. The act of Union extended the English bounties on grain to Scotland, and adopted a bounty on bigg, oatmeal, and malt of wheat (*n*).

There were other encouragements given to agriculture in those enterprizing times. Various treatises were successively published for enlightening an intelligent people (*o*). In 1723 were formed, at the metropolis of North-

we have seen above, is from the *Celtic* and not the *Latin*. Sibbald, the Scottish glossarist, is more happy than usual in his etymon of the *feirs of the year*, from the French *feur*, which is certainly the real origin of the word in the Scottish practice. The prejudice of Dr. Jamieson will have the spelling of the word to be *fiar*, in order to derive it from the Icl. *fiar*, fear, the gen. of *fe*. The spelling of this word, in Lord Stair's Institutes, is *phyars*. Yet analogy and fitness require the spelling of Sibbald, in order to avoid the clash with another *fiar* in the Scottish jurisprudence of a quite different signification.

(*k*) 1 Cha. II., 41; 2 Cha. II., 17. An act was at the same time passed for encouraging the export of corn. 2 Cha. II., ch. 14.

(*l*) 1 Wm. III., ch. 23, ch. 38. (*m*) 1 Wm. III., ch. 32. (*n*) 5 An., ch. 18.

(*o*) In 1698 was printed at Edinburgh, *Husbandry Anatomized*, or several rules and measures for the better improvement of the ground. In 1706 was given to the public by Lord Belhaven "Advice to the farmers of East Lothian, how to improve their grounds." In 1724 the society of improvers at Edinburgh published "A Treatise *on fallowing, raising grasses*." etc. In 1729 was printed at Edinburgh "An Essay on the ways and means for inclosing, fallowing, "and planting Scotland." In 1733 was published at Edinburgh by Patrick Lyndsay, "The "Interest of Scotland considered as to police, *agriculture*, trade, and fishery." In 1743 the *Select Essays* of the society of improvers in the knowledge of agriculture were sent into the world by their able secretary, Robert Maxwell, who closed a useful life in May, 1765. That zealous agriculturist, moreover, published in March, 1747, the *Practical Beemaster*; in April, 1747, a *Letter to the Clergy*, directing the improvement of their glebes; in August, 1747, the *Practical Husbandman*. At Edinburgh in 1765 was published in two volumes by A. Dickson, *A Treatise on Agriculture*. Lord Kames published a *work on agriculture* in 1767. In the same year there were printed at Edinburgh, "Select Essays *on Husbandry* from the *Museum Rusticum*." These intimations are alone sufficient to show that the people of Scotland had thus opportunities enow of being well acquainted with the theories of agriculture.

Britain, the society of improvers, which consisted of all who were eminent in that country, and which continued to energize their countrymen till the tumultuous year 1745. In 1754 was formed, at the same intelligent city, a society for promoting the arts and sciences which continued for years to instruct and inspirit a willing people. The Highland Society was established in 1784, chartered in 1787, and enabled by parliament in 1789 to pursue the useful ends of this well-conducted association (*p*).

The result of all those facilities, instructions, and helps, will appear most distinctly in the following TABLE; exhibiting to the reader's eye the export of every sort of corn, of flour, and of meal, at given epochs, the imports of the same articles; the excesses of both with the prices of wheat during the same periods:

The Epochs.	The Exports.	The Excesses thereof.	The Imports.	The Excesses thereof.	The price of wheat, according to the *fiers* of Haddington, per boll, and a 5 years average ending
	qrs.	qrs.	qrs.	qrs.	
5 years average ending with 1712	27,960	27,929	31	—	in 1712 14s. 4d.
The same with 1717	47,668	47,668	—	—	The same in 1717 15 0
The same with 1722	57,522	57,522	—	—	The same in 1722 12 4
The same with 1727	29,588	29,549	39	—	The same in 1727 15 10
The same with 1732	20,144	20,144	—	—	The same in 1732 12 2
The same with 1737	35,602	35,600	2	—	The same in 1737 12 10
The same with 1742	26,920	18,786	8,134	—	The same in 1742 13 3
The same with 1747	39,753	39,741	12	—	The same in 1747 17 8
The same with 1752	49,015	46,129	2,885	—	The same in 1752 13 2
The same with 1757	10,996	7,022	3,974	—	The same in 1757 15 2
The same with 1762	34,651	30,017	4,634	—	The same in 1762 14 0
The same with 1767	12,021	—	28,381	16,306	The same in 1767 18 6
The same with 1772	6,221	—	41,063	35,138	The same in 1772 18 10
The same with 1777	7,204	—	79,155	71,944	The same in 1777 19 2
The same with 1782	40,921	23,636	17,285	—	The same in 1782 18 7
4 years average with 1786	21,390	—	136,788	115,397	The same in 1787 19 6
5 years average with 1791	20,616	—	146,980	126,364	4 years average in 1791 21 5
The same with 1796	4,603	—	145,727	141,123	5 years average per W. qr. in 1796 52 10
The same with 1801	11,787	—	165,496	153,709	The same in 1801 66 7

This *Table* and the topics which are connected with it admit of much observation. The price of wheat, according to a twenty years' average, ending with 1689, the epoch of the first bounty after many good seasons when the

(*p*) They have published in successive years, three volumes of very instructive Prize Essays, on various topics of georgical improvements. The boll is equal to 4:0872667 Winchester bushels

prices of corns had been remarkably uniform, was 11s. 11d. a boll from an estimate of the Haddington prices as ascertained by the sheriff with the assistance of a jury. Those fine seasons did not long continue. The *dear years of the Revolution* immediately succeeded, and the value of wheat rose to the enormous price of 25s. 5d. a boll according to the same estimate of the Haddington market. At the Union, in 1706, the English bounties were adopted into the policy of Scotland, when the price of wheat in that market had fallen to 7s. 9d. a boll, which, we see, was much below the average of twenty years ending with 1689. The Union had very opposite effects on two of the products of agriculture in Scotland. Wool, which could not now be exported to any other country than England, fell to a ruinous depreciation. Corn, as it was now admitted into the markets of England, enjoyed thereafter a perceivable rise in its price. The agriculture of Scotland, which thus became subject to the same law as the husbandry of England, partook of the same benefits and felt the same vicissitudes. After both had been greatly improved, the export of corn, which had brought much money into the nation, stopped soon after the auspicious commencement of the present reign. It was that improvement which gave rise to a sort of revolution in the residence of the people. The inhabitants of the hamlets and villages, were, by the agricultural system, driven from the country into towns, when they ceased to be producers and began to be consumers. There was perhaps a change also in the mode of living, when manners became less simple and consumption more profuse. Meantime, there are certain truths in respect to this subject which cannot be controverted. The surface of our island has been much more improved in the present reign than it had ever experienced in any age. There have been in that period much more skill and capital and labour usefully employed in agriculture than in any former period, and better manurance and more skilful agriculture necessarily must produce a greater quantity of victual the seasons being favourable. But the consumption had even gone beyond the produce, great as it was, because the people had greatly increased both in their numbers and expenses, and it is a principle of the mercantile system which has been assumed by the agricultural, that nothing is a gain to the State that is not exported for the purchase of strangers. The apprehension of a wrong balance of trade has not created more panic or more scribbling than the *unfavourable excess* in the export and import of corn. On this occasion it was remarked justly, "that we ascribe too much to human contrivance and too little to providential "superintendence." (*q*) From this intimation the remarker was naturally led

(*q*) The Agricult. Treatise of the Rev. John Howlet.

to infer, "that the various changes in our *corn laws* had no effect on the export "of grain." It is sufficiently apparent, that the legislature can regulate neither the seasons, nor the depreciation of money; can neither prevent the augmentation of the people, nor their vast consumption. From the epoch of the first bounty on corn, in 1689, till 1800, the depreciation of money has been, in the ratio, of 226 to 562 (*r*); and from this *appreciation*, we may infer, that the *dear years* of late times were not comparable, in excess, and misery, to the *dear years* of the reigns of Anne, and of William. The better state of our agriculture, at present, the greater activity of our trade, and the more vigorous interposition of general beneficence, tended, in a high degree, to mitigate popular distress, and to relieve the general anxiety.

§ XVI. *Of its Roads.*] Connected with the practice of agriculture, is the policy of *Roads*. The Roman people, who excelled in road-making, constructed roads, within North-Britain, during the first century; during the second they extended the usefulness of their *ways* from the Cheviot hills to the Moray frith (*s*). After the Roman abdication, neither the Pictish period nor the Scottish was favourable to the beneficial system of Roads, as the rudeness of the Picts and the wildness of the Scots did not enable them to perceive the innumerable advantages of convenient communications. From the accession of David I. to the demise of Alexander III., the useful policy of *the king's high-ways* was perfectly understood as we may learn from the several chartularies. The art of road making was known throughout the same period. During that era, when so much of the economy of agriculture consisted in the feeding of flocks and in the change of pasturage, *cross roads* were chiefly defective in every district; and we may see, in the chartularies, the monks applying for the right of passage from the proprietors of the soil, who readily exchanged temporal accommodation for spiritual favour (*t*). The earliest

(*r*) Transactions of the Royal Society of Lond. 1798, p. 176.

(*s*) The course and the policy of the Roman roads in Northern Britain, were ascertained in Caledonia, i., 133 to 149.

(*t*) Caledonia, 804. See the juridical doctrine of *ways* and *passages* in Stair's Institutes, p. 286-7. The notion of this great lawyer was, that "ways are a part of the reservation from "property and the necessary vestige of the ancient community of the earth. Free ish and entry "are implied in the very right of property, though not expressed." The truth is as we have seen above from the chartularies, that the king's high-ways existed as early as the municipal law of Scotland; and Lord Stair's notion of a right of passage as an incident of property in the soil, is contradicted both by the fact and by the practice, during the Scoto-Saxon period of the Scottish annals.

statute which seems to have protected the right of passage was enacted under the minority of Mary Stewart (*u*). The various statutes of Scotland for making and amending roads, were enforced and enlarged by the first parliament of George I., when the important use of Roads was fully understood (*x*). It was in this reign that the military roads were made in Scotland by Marshal Wade (*y*). Roads in England were amended by the collection of tolls as early as the reign of Edward III., though not by the authority of parliament. The first statute for gathering tolls at turnpikes, in order to make or repair roads, was enacted soon after the Restoration (*z*). The first act of parliament for the same useful end in Scotland, was made ninety years after that auspicious epoch (*a*). The active spirit of improvement was at length roused from a long-enduring lethargy; and the successful practice of road-making, by means of tolls, in a short effluxion of years, was introduced with the most beneficial consequences throughout the southern shires of Scotland (*b*). But it was not till recent times that a plan of the noblest and most extensive sort,

(*u*) 1555, ch. 53; this act was extended and enforced by that of 1592, ch. 159. But it was not till the Restoration, that the roads to market towns were required to be *twenty feet broad.* 1 Parl., Char. II., 1 sess., ch. 38. The Statute of Winton 13 Ed. I., required that the roads of England should be enlarged, and the bushes cleared away on each side for two hundred feet. The act of the 2d Parl., Ch. II., sess. 2, ch. 16, required the justices and sheriffs to oversee and mend the roads.

(*x*) 5 Geo. I., ch. 30.

(*y*) They were begun in 1720, and completed in 1730. Such roads may have facilitated the driving of cattle from the Highlands; but they were of little benefit to the agriculture or improvement of a rugged country. The policy which Wade commenced, was continued by his successors in North-Britain. In 1770, the parliament began to make annual grants of £6,998, for repairing the *new* roads of communication, and building bridges in the Highlands of Scotland. These recent roads were probably of more use than those by Wade, fifty years before this salutary measure of a wise legislature. There was published in January, 1746, by Thomas Willdey, "a map of the "king's roads, made by General Wade in the Highlands of Scotland, from Stirling to Inverness, with "the adjacent countries."

(*z*) 15 Ch. II., chap. i. This is truly said by Anderson to have been the first turnpike act in England. Chron. Deduct. of Commerce, ii. 122.

(*a*) 23 Geo. II., ch. 17, for repairing the roads from Dunglasbridge to Haddington. In the ten years which followed 1750, there were successive turnpike acts passed for Edinburghshire, for Lanarkshire, and various ways that are connected with Edinburgh and Glasgow.

(*b*) See the several acts of parliament in the Statute Book, from 1750 to 1801. In 1762, the parliament gave £4,000 towards building the bridge across the Tweed at Coldstream, and making the subservient roads. The parliament afterwards voted £800 for making a road from Balantrae, in Ayrshire, to Stranraer, in order to facilitate the passage to Ireland.

was adopted by parliament, under the happiest influences, for making the most commodious communications, throughout the highland districts, and northern shires (*c*).

§ XVII. *Of its Coins.*] Connected with agriculture, and prices, and roads, are *coins*, which are the convenient measure of commodities. By recapitulating the egregious figments of the Scottish history, on the subject of coinage, Bishop Nicolson has deluded his readers; owing to his want of knowledge and his passion for what is antique. After romancing about the money of King Reutha, who never existed, he supposes it probable that King Donald, "a good and "religious king," who flourished, according to the fiction of Skene, in the year of Christ 199, and was the first that coined money of gold and silver, may have introduced money among the Scots before the *Scoticæ Gentes* were known among the nations (*d*). The industrious bibliographer who had not learned to reject the fabulosity of Boece, the falsehoods of Buchanan, or the absurdities of their followers, has, however, some intimations on this subject which he received from Sharpe, the Archbishop of York, that merit attention. Neither of them seems to have perceived what is so obvious at present, that Celtic Scotland never coined (*e*). Coinage in North-Britain cannot be carried beyond the twelfth century. Alexander I., who began his reign in 1107 A.D., coined some silver pennies which may be seen among the *Numismata Scotiæ* (*f*). David I., and William, his grandson, and Alexander II., and Alexander III. followed the nummary example of Alexander I. During their successive reigns there were no other than *silver* coins. Throughout the whole of the Scoto-Saxon period of the North-British annals, the Scottish coins were of the same fashion, weight and fineness, as the English. In that period the mode of calculation and the money of account were exactly the same in the two British kingdoms (*g*). It was in the wretched reign of David II. that

(*c*) See the Parliamentary Reports on this important policy of making roads and building bridges.

(*d*) Scots Hist. Library, ch. xiii., of the medals and coins of Scotland. What the bishop says of the money of Malcolm II. scarcely merits confutation; the *Leges Malcolmi* having been exploded as most egregious fables. We know, from the satisfactory information of facts, that *cattle* were the *coins* of Scotland during many a simple age, after Malcolm II. had been entombed among his fathers in Iona.

(*e*) Caledonia, i., 805-6.

(*f*) Anderson's Diplomata Scotiæ; and Lord Pembroke's Coins.

(*g*) Nicolson's Scots Hist. Lib., 306-7; Diplom. Scotiæ; Ruddiman's Preface, § 51. Yet,

the coinage of Scotland was first debased, when they were prohibited in England (*h*). Gold pieces were originally introduced under Robert II., who ascended the throne in 1371, and who coined £17 12s. out of one pound of gold (*i*). To the silver and gold coins were added by James III., perhaps by prior princes, a copper coinage. Coins continued to be minted in all those metals, though of various values and dissimilar fashions, till the Union of Scotland with England (*k*). It was now agreed that the circulating coins of

though coins existed, fines were imposed, and taxes were collected throughout the Scoto-Saxon period, in cattle and other products of the country. Statute Book; Ayloffe's Calendar. Throughout that period also, the Scots adopted into their political economy the enigmatical term, *Sterling* money. Caledonia, i., 806.

(*h*) Ib. § 53. From the early reign of Alexander I., to the recent age of James V., the purity of the standard of *silver* coins continued at 11 oz. fine and 18 pw. of alloy., out of which was coined £1, till the time of David II., when £1 5s. were coined out of the ancient standard. From this epoch the value of the money coined was successively changed in every reign, till James V. altered both the standard fineness, and the amount of money coined out of the pound of silver. Hence, the money of account in Scotland and in England became different.

(*i*) The fineness of the gold at the mint, was 11 oz. 18 pw. 18 gr.; having 1 pw. 18 gr. of alloy. This fineness and alloy continued the same till 1555, under the infancy of Mary Stewart, when it was changed to 11 oz. fine, with 1 oz. of alloy; and this standard continued till the reign of George II.; while the money of account, which was coined out of the pound of gold thus alloyed, was changed in every reign from that of Robert II. Ruddiman's Preface, Table i.

(*k*) See the Tables, No. 1, 2, in Ruddiman's Preface to Anderson's Diplomata, and Cardonnel's Numismata. While the coins of the neighbour nations were the same in real value, they freely passed in the two countries without any difference of account. There was, however, at all times a natural exchange betweeu distant places of the two kingdoms. This natural exchange consisted of the expense for the trouble and risk of sending money from, and to those distant places. But an alteration took place in 1355, when the standard of the Scottish coinage was deteriorated. From this epoch the English coins were more valued in Scotland than the Scottish, nearly in proportion to the deterioration. At first, three, then two, and afterward one of the English pennies became equal to four Scottish. In 1502, by the marriage treaty of James IV. with Margaret of England, her jointure of £2,000 Sterling was deemed equal to £6,000 Scots. Hence, the money of England was to the money of Scotland, as one to three. In 1544, 6,800 merks Scots were deemed equal to 1,700 merks English. Hence, says Keith, 36, the inequality, was as four to one. We have formerly seen how early the expression of *Sterling money* was introduced into the economy of Scotland. There has been great debate, saith Mr. Solicitor-General Purvis, what this *Sterling money* was; some alleging that the king's money should be paid in *white* money, in respect of the great quantity of copper coin, which was then used; others say that it was to be paid in *Sterling* money, which was decided in February 1600, to be according to the intrinsic value of the money at £10 Scots for every one pound Sterling. As it was decided in an action

North-Britain should be recoined of the English standard. At that epoch there existed of specie, consisting of different coins of various nations in Scotland, near nine hundred thousand pounds which were now recoined with very little addition of paper circulation.

§ XVIII. *Of its Banks.*] Connected with the coins are banks and paper money. The original bankers were the money-getting monks (*l*). The first establishment of this kind in North-Britain was the *Bank of Scotland,* which was settled at Edinburgh in 1695. Thirty years elapsed however, before the bank derived much profit from the country or the country much benefit from the bank (*m.*) The people were not prepared to obtain much advantage, from such an instrument of industry. During the reign of Anne, that well-known projector, John Law proposed, by means of paper money, to melt into coinage all the lands of Scotland; but neither the parliament nor the people were disposed to receive his projects at a time when the benefits of banks were not understood as great commercial means. Other banks, however, were at length established. The *Royal Bank* in 1727; the British Linen Company in 1746; the Aberdeen bank in 1746; and the two banks at Glasgow, in 1750 (*n*). This year may be deemed the epoch of improvements in Scotland. The great want of every people during the infancy of their industry, is commercial capital. Those banks, which spread out their several branches to almost every hamlet in North-Britain, supplied that essential want

by David Moray of Gospatric, knight, comptroller, against William Barclay, burgess of Montrose. In the which action the comptroller charged the said borough for payment of the feu-duty in Sterling money at £12 Scots for every pound Sterling, but the Lords decerned at £10 Scots as before expressed. Exchequer MS. Yet the Scots money soon after settled at the ultimate rate of *twelve* for *one* of English Sterling, which was confirmed at the accession of King James by his proclamation of the 8th of April, 1603. The difficulties which occurred of old in conveying money from one kingdom to another were very embarrassing; as we see in the Border History, 439. In 1560 the Duke of Norfolk was extremely distressed how to convey money to Leith for payment of the English soldiers, owing to the weight of the specie and the want of carts. Ib., 601. When it was proposed in 1562 that Mary Stewart should visit Elizabeth, two modes were proposed to facilitate the payment of the Scottish queen's expenses: (1). That £10,000 worth of the specie of Scotland should be paid to the governor of Berwick, who in return, was to repay an equivalent sum in the specie of England: (2). It was proposed that Elizabeth should make current the Scots coins at their proportional worth. Ib., 608. The two queens found other objects to occupy them than such idle jaunts. In the rudest parts of Scotland the Scottish money of account has at length given way to the English.

(*l*) Caledonia, i., 785. (*m*) Ib., 873. (*n*) Ib., 876.

in the most commodious manner. Every industrious person who had property of any kind could convert it into exchangeable value. In fact, John Law's project was in a great measure realized by the commodious facilities of the country banks. It was by those means that the Scottish banks promoted the industry and augmented the opulence of the Scottish people beyond the belief of fond philosophers.

§ XIX. *Of its Weights and Measures.*] With all those topics are connected considerations, in regard to weights and measures, which Scotland derived chiefly from England during the twelfth century (*o*). Whatever may have been their variety, they long continued to answer all the practical uses of an uncommercial people. The parliament of Scotland endeavoured, by successive laws, to obtain that desirable object by appointing several standards. To Edinburgh was assigned the keeping of the standard *ell;* to Perth, the *reel* ; to Lanark, the *pound;* to Linlithgow, the *firlot;* and to Stirling, the *jug;* with a view perhaps to their respective manufactures. Yet those standards seem not to have been very carefully kept ; and the Stirling jug, like *the Tower pound*, was actually lost, till it was discovered by the Reverend Alexander Bryce of Kirknewton, who was zealous to apply his great mathematical knowledge in promoting the various purposes of daily life. The benefits of a sameness of measures and of weights within the same country was acknowledged from the experience of the past, and a prescience of the future. Yet though the act of Union declared (*p*), that there should be such an uniformity in the United Kingdom, their dissimilarity still continues to perplex our theorists more than to embarrass our dealers ; so wedded are people to their practices, as we may indeed learn from the various laws and numerous treatises, which have been successively published on this difficult subject (*q*).

(*o*) Caledonia, i., bk. iv., ch. vi.

(*p*) 5 Anne, ch. 18.

(*q*) See a Treatise of weights, mets, and measures of Scotland, by Alexander Hunter, burgess of Edinburgh, Edin. 1624. This was reprinted at Edinburgh in 1690. John Reid printed in a folio page, at Edin. in 1706, "The State of the weights and measures of Scotland and England." The late Lord Swinton, one of the senators of the College of Justice, proposed an uniformity of weights and measures in Scotland by executing the laws which were then in force. Edin. 1779. This useful Treatise was printed at Edin. a second time in 1779. In both those editions the assize of David II. is mistakingly quoted as the assize of David I. Yet an assize of weights and measures of the year 1425 refers to the *elne* of David the First. Parl. Record, 63. The learned author of the Essay on *Political Economy* published a Tract on the uniformity of weights and measures. The

§ XX. *Of its Manufactures.*] Allied to all those commercial considerations are the manufactures of Scotland during the successive steps of their progress. The first fabrics were undoubtedly produced by the dictates of necessity for domestic uses. The rude produce of the soil was converted to the accommodation of the people for the purposes of clothing, food, and drink. During the Scoto-Saxon period the wool, the skins and hides, were made by domestic hands into useful vestments. The corns were fabricated into flour and meal in various mills, and their malt was converted into drink at the brewhouse of every hamlet (*a*). In that age salt was abundantly made on the shore of every sea (*b*). Yet the encouragements of the Middle Ages by the legislature of Scotland, scarcely carried up the manufactures of linen, of woollen, of leather, and of the dairy, much beyond the household supply. We might infer this circumstance from the laws which were made during the reign of James VI. to prevent their exportation (*c*). The effort of England in consideration of her chief manufacture was to oblige the people to bury in *woollen*. The legislators of Scotland were equally zealous to compel the people to *bury* in *linen* (*d*). But whatever may have been the encouragements which were given to the fabrics of linen, this manufacture seems to have languished for many a year. At the epoch of the Union, the whole quantity that was made for sale did not exceed 1,500,000 yards (*e*). When the commission was established for promoting manufactures and fisheries in 1727, the surplus quantity was only 2,183,978 yards, of the value of £103,312; but the progress of this manu-

late Honourable James Stuart Mackenzie caused to be engraved Comparative Tables of the weights and measures of England and of Scotland: but this accurate work was never published. In the Edinburgh *Essays*, Physical and Literary, i., 223, there is a *Dissertation* "on the measures of "Scotland, compared with those of England," by James Gray. In 1791 the Rev. George Skene Keith published a Collection of Tracts on weights, measures, and coins. Yet all those treatises, whatever may have been their ingenuity and their use, were written in vain, as they were read by the learned and neglected by the ignorant, without much recollection of their several merits.

(*a*) Caledonia, i., 787. (*b*) Ib., 787-8.

(*c*) The exportation of butter, cheese, candles, and shoes, was prohibited by 4 Ja. VI., ch. 59. The export of coals was prohibited by 9 Mary, ch. 84.

(*d*) 1 Parl., Ja. VII., ch. 16; 1 Parl., Wm. and Mary, ch. 35. But these laws were repealed by 1 Parl., Anne, chap. 14; when it was enacted that every one should be buried in woollen.

(*e*) Yet, if we may believe the *account current* of Mr. Sprenl, Scotland enjoyed a commanding manufacture at that happy epoch.

facture and its ultimate value will be best ascertained by the *Tabular Statement* which is immediately subjoined:

	The Quantity of Yards.	The Value Sterling.
There were made for sale, according to a 5 years average, ending the 1st November, 1735, - -	4,554,128	£171.887
According to a 5 years average, ending 1st November, 1740,	4,667,424	184,334
The same, ending 1st November, 1745, - - -	5,073,721	209,778
The same, ending 1st November, 1750, - - -	8,886,809	292,277
The same, ending 1st November, 1755, - - -	8,621,150	394,542
The same, ending 1st November, 1760, - - -	10,302,886	433,644
The same, ending 1st November, 1765, - - -	12,253,635	539,183
The same, ending 1st November, 1770, - - -	12,855,339	639,013
The same, ending 1st November, 1775, - - -	12,172,037	543,298
The same, ending 1st November, 1780, - - -	13,581,684	622,972
The same, ending 1st November, 1785. - - -	16,802,997	829,643
The same, ending 1st November, 1790, - - -	19,104,206	864,883
The same, ending 1st November, 1795, - - -	20,478,312	795,969
The same, ending 1st November, 1800, - - -	22,528,498	931,490
In the year 1801, - - - - - -	25,271,155	1,018,642

Such, then, were the origin, the progress, and the greatest amount of a manufacture, which added to the opulence of the country a million a year. Yet this manufacture has been vastly surpassed by a rival, the *cotton*, which has arisen during late times, and has been called the *staple* of Scotland though the rude material of it be brought from afar *(f)*. It is supposed that there are invested in *this staple*, for buildings and machinery, half a million of capital; and the annual produce of it is worth, to the many persons who are interested in this rich manufacture, upwards of three millions Sterling a year. Connected with the cotton manufactures is the printing of such goods, which, in calicoes and muslins, have been yearly carried much beyond four millions of yards. There has been introduced into this country a silk manufacture to a great length of ingenuity and value. Scotland has also woollen manufactories, which, according to ancient practice, work up many of the fleeces of her flocks for domestic uses. To all those must be added, amidst many smaller manufac-

(*f*) Of cotton wool there were imported into Scotland, during 1755, 105,831 lbs., which evince the infancy of this manufacture; and during 1800, 13,204,225 lbs., that prove its youth.

tures, iron fabrics, which have been carried to a great magnitude (*g*). A coarse manufacture, for household purposes, commenced, as we have seen, during the twelfth century (*h*). It did not add much to the improvement of the rude state of domestic fabrics, during six centuries of warfare, and revolution, that encouragements were proposed, by an uninformed legislature, to an idle people, who were destitute both of means, and of skill. The Union, in 1707, at once, put an end to commercial rivalry, by admitting the Scottish people to a participation with the English, in their mercantile projects, and colonial commerce. But, this communication was long of little benefit to those, who were not prepared to receive its influences. The year 1750 has been assigned, as the true epoch of manufacturing advance from deplorable feebleness to real improvement. Yet, is it apparent, from the documents, which have just been laid before the judicious eye, that it was only from the year 1760, that the manufactories of Scotland have advanced, in a constant state of melioration, till they have obtained a great elevation of vigorous prosperity.

§ XXI. *Of its Foreign Trade.*] From such topics, it is easy to diverge to considerations, with regard to *foreign trade.* It is vain for authors, who professedly write of commerce to talk of the great traffic which Scotland enjoyed of old (*i*). Large and little, are only comparative; and whoever compares the details of her present foreign trade with the list of her imports and exports as they appear in her chartularies, consisting merely of a few articles of rude produce, will not form magnificent notions of her ancient trade. Even under

(*g*) But of the rise, progress, and perfection of the manufactures of Scotland, the clearest judgment may be formed from the subjoined statement:—

The value of the British manufactures which were exported by sea from North-Britain, in 1755, was, - - - - - -	£284,700	18	1
According to a 5 years average, ending with 1760, - - -	375,057	7	0
The same, with 1770, - - - - - - - -	451,170	14	10
The same, with 1780, - - - - - - - -	549,315	9	11
The same, with 1790, - - - - - - - -	769,296	6	11
The same, with 1800, - - - - - - - -	1,402,650	0	3
The value, in 1801, - - - - - - - -	2,449,171	4	6

(*h*) Caledonia, i., 787.

(*i*) Anderson's Hist. Deduction, throughout; Campbell's Political Survey: "It is not much doubted, "saith Bishop Nicolson, but that those parts of Great Britain have all along maintained their com- "merce in the same methods with those that are more southern, even down from Malcolm II." Scots Hist. Lib., 290. So little capable was the learned bishop of perceiving truth from falsehood, during his researches, as to the ancient history of North-Britain.

James I., after all his endeavours to energize his people, their exports consisted of "wool, wool-fels, and hides," as we know from a contemporary writer; and their imports of haberdashery, cartwheels, and wheelbarrows (*k*); and this wretched traffic was carried on chiefly with Flanders, where manufactures flourished and commerce invited customers, while exchange enlivened every enterprize (*l*). Ages elapsed before the foreign trade of North-Britain assumed a more favourable cast, amidst penury, the result of disasters, and idleness, the effect of woe. The reign of King James VI. was chiefly remarkable for preventing the export of native commodities. After a century of civil war, the Union, by admitting the traders into a better system came to their aid (*m*). They did not soon profit much from their commercial admission, though every facility was given them; as

(*k*) See Hakluyt's Voyages, 1599, 187: "The Libel of English Policie," ch. iv.: "Of the Commo-"dities of Scotland; and draping of her Wolles, in Flanders, 1436."

(*l*) In 1424 there is an Act of the first Parliament of James I., which is very curious in itself, and "applies to this subject; as it appears from a MS. in the Register House at Edinburgh: "Alsua the "commissaris of the borouys, in the name of the haill merchandis of the realme, has tane on hand "and hecht [undertaken and promised] to mak the first payment of our lorde the kingis finance "[revenue, or income]; that is to say, $\frac{m}{xx}$ nobillis Inglis, sua that na strangearis by na [manner] haif "away the merchandice of the lande at uther men's handis na tharis; [that strangers shall not have "the merchandize from any other persons, than the merchants of the burrows]; takande frae our lorde "the kinge allanerly [only] ii s. of thar lionis [a coin] for a nobill Inglis, to be pait to thame of yeilde "to be raisyt; [of the income then to be raised]; and for the said first payment of the finance [income] "may nocht [not] be maid but [without] chevisance [loan] of Flanderis to help; and [to] further "[which] our lorde the king sall sende his commissaris [with those] of [the] burrowis in Flanderis to "mak this chevisance to quhais expenss, the burgess [burgeses] sall pay iii^{c} nobilis; sua that what "costages [charges] be mad apone the said chevisance be payit of the haill yielde now to be raysyt: "And gif the kingis commissaris, and [those of] the burrowis, beande [being] togidder, can nocht mak "the chevisance, qwhat chevisance be maide throwe the kingis commissaris, the burgesses are oblist "[are obliged] to freithe thame [help them] and mak the first payment; and thai sall haif it agane of "the haill yeilde;" [be reimbursed out of the whole income]. From this curious document we may perceive the want of money in Scotland, the defect of capital in the traders, and the ability of Flanders to aid them. We see also that it was the burrows, and not the barons or bishops, who interposed their credit on that occasion to help the king during his necessities.

(*m*) In vain did Mr. John Spreul and the merchants offer, in 1705, to prove "That Scotland's "product and manufactures are able to balance our trade with any, or all parts, we do, or need to "trade with." An account current betwixt Scotland and England, 1705. The income of the posts in Scotland at that time only yielded £1,100; and the customs £34,000 sterling. The trade and circulation of Glasgow were not then able to employ a bank on the smallest scale; and the whole commerce of Scotland could hardly give employment and profit to a bank with a capital of £30,000 sterling. Caledonia. i., 868.

they wanted commercial capability. The year 1750 is the supposed epoch of their enterprize. From the record of the customhouse we may know what was the amount of their adventures:

	Imports. £ s. d.	Exports. £ s. d.	Imports Excess. £ s. d.	Exports Excess. £ s. d.
It was, during the year 1755,	465,411 11 7	535,576 16 4	—	70,165 4 9
It was, according to a 5 years average, ending with 1760, - -	643,221 5 11	862,578 8 3	—	219,357 2 4
The same, with 1765, -	834,042 1 2	1,136,023 14 7	—	301,981 13 5
The same, with 1770, -	1,135,945 1 5	1,440,462 19 5	—	304,317 17 11
The same, with 1775, -	1,238,411 19 8	1,505,281 14 0	—	266,869 14 4
The same, with 1780, -	781,744 9 4	881,149 17 1	—	99,405 3 7
The same, with 1785, -	1,030,693 7 7	836,835 16 7	193,857 10 11	—
The same, with 1790, -	1,444,432 17 10	1,124,888 11 4	319,544 6 5	—
The same, with 1795, -	1,569,329 4 6	1,122,792 18 0	446,536 8 6	—
The same, with 1800, -	1,934,960 14 9	1,694,395 0 1	240,565 14 8	—
One year, 1801, -	2,579,944 8 10	2,844,502 4 0	—	264,557 15 2

This interesting Table admits of little exposition. It began with the war of 1755, which left the national trade greatly augmented. In the five years that ended with 1770, the American products, particularly of tobacco, swelled in a high degree, the values both of the imports and exports. The revolt of the colonies began in 1775. Throughout the ten years which ended in 1785, we may plainly perceive the effects of that memorable event on the commerce of Scotland. During the five years ending with 1790, these effects were no longer felt. The commercial affairs of North-Britain had meantime taken a new and more favourable turn. Domestic manufactures were now substituted for foreign trade. The capital of an enterprising people was at this time usefully employed in importing the rude materials of a vast manufacture, which, throughout the subsequent years, increased greatly the amount both of the Scottish imports and exports that stood at length on the firmer foundation of our native soil and habitual industry. It may gratify a just curiosity to be informed from what countries those vast cargoes were imported, and to what those exports were sent during the year 1800, together with the number of ships, both *British* and *Foreign*, which were employed in carrying on the whole foreign traffic of Great Britain. This useful information will most clearly appear in the annexed detail from the customhouse record:

A TABULAR STATE of the Number of Vessels, with the Amount of their Tonnage, that entered Inwards, and distinguishing England from Scotland and the British and Foreign Vessels, and also

INWARDS.

THE COUNTRIES.	ENGLAND.				SCOTLAND.				GREAT BRITAIN.			
	British.		Foreign.		British		Foreign.		British.		Foreign.	
	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.
Denmark	131	15,611	862	148,464	39	3,085	264	30,385	170	18,696	1,126	178,849
Russia	614	145,209	55	13,114	152	18,255	—	—	766	163,464	55	13,114
Sweden	51	7,092	248	37,027	43	3,216	19	2,114	94	10,308	267	39,141
Poland	143	27,452	138	25,769	33	3.672	—	—	176	31,124	138	25,769
Prussia	379	83,471	1,294	152,791	176	25,900	71	7,026	555	109,371	1,365	159,817
Germany	341	49,379	526	65,557	127	12,498	23	2,775	468	61,877	549	68,332
Holland	3	871	758	51,542	—	—	73	6,476	3	871	832	58,018
Flanders	—	—	63	5,925	—	—	—	—	—	—	63	5,925
France	9	945	241	20,953	—	—	—	—	9	945	241	20,653
Portugal and Madeira	253	35,989	78	9,115	23	3,100	—	—	276	39,089	78	9,115
Spain and Canaries	1	74	124	38,217	—	—	2	246	1	74	126	38,463
Straits and Gibraltar	20	3,944	—	—	—	—	—	—	20	3,944	—	—
Italy	76	13,668	37	7,434	2	203	—	—	78	13,871	37	7,434
Minorca	19	5,132	—	—	—	—	—	—	19	5,132	—	—
Turkey	14	4,439	5	1,145	—	—	—	—	14	4,439	5	1,145
Ireland	4,729	442,667	47	7,746	1,121	65,954	2	229	5,850	508,621	49	7,975
Isles, Guernsey, &c.	446	39,070	11	1,396	13	1,370	—	—	459	40,440	11	1,396
Isle of Man	232	9,106	1	70	19	448	—	—	251	9,554	1	70
Greenland	52	15,610	—	—	10	2,652	—	—	62	18,262	—	—
United States	44	10,983	503	114,946	33	6,351	47	9,069	77	17,244	550	124,015
British Colonies	150	27,216	—	—	45	8,774	—	—	195	35,990	—	—
British West Indies	502	148,302	—	—	63	13,756	—	—	565	162,058	—	—
Conquered Islands	236	54,105	5	542	24	4,569	—	—	260	58,674	5	542
Foreign West Indies	21	5,135	5	1,042	2	437	—	—	23	5,572	5	1,042
Honduras Bay	3	662	1	168	—	—	1	219	3	662	2	387
Florida	—	—	2	399	—	—	—	—	—	—	2	399
Nootka Sound	—	—	—	—	—	—	—	—	—	—	—	—
South Whale Fishery	25	7,087	—	—	—	—	—	—	25	7,087	—	—
Africa	12	2,183	3	317	—	—	—	—	12	2,183	3	317
Cape of Good Hope	3	620	—	—	—	—	—	—	3	620	—	—
Asia	62	49,635	2	1,018	—	—	—	—	62	49,635	2	1,018
New Holland	—	—	—	—	—	—	—	—	—	—	—	—
The totals in 1800	8,571	1,205,567	5,010	701,697	1,925	174,240	502	58,539	10,496	1,379,807	5,512	763,236
The totals in 1790	9,230	1,210,592	2,179	264,010	3,064	232,332	134	14,159	12,294	1,442,924	2,313	278,169

cleared Outwards, in the several Ports of Great Britain, between the 5th January, 1800, and the 5th January, 1801; distinguishing the several Countries, whence such Vessels arrived, or to which they cleared.

OUTWARDS.

THE COUNTRIES.	ENGLAND.				SCOTLAND.				GREAT BRITAIN.			
	British.		Foreign.		British.		Foreign.		British.		Foreign.	
	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.
Denmark,	262	45,850	802	145,995	81	9,275	113	14,218	343	55,125	915	160,213
Russia,	597	153,348	129	25,896	96	11,871	—	—	693	165,219	129	25,896
Sweden,	38	5,774	177	26,980	24	2,314	8	1,075	62	8,088	185	28,055
Poland,	47	8,178	40	10,281	28	3,564	—	—	75	11,742	40	10,281
Prussia,	216	42,902	1,646	166,222	81	11,522	55	5,024	297	54,424	1,701	171,246
Germany,	487	75,013	548	77,498	129	12,393	7	707	616	87,406	555	78,205
Holland,	—	—	301	21,536	—	—	12	1,910	—	—	313	23,446
Flanders,	—	—	44	4,478	—	—	—	—	—	—	44	4,478
France,	5	534	206	16,523	—	—	—	—	5	534	206	16,523
Portugal and Madeira,	209	31,653	136	24,811	7	754	—	—	216	32,407	136	24,811
Spain and Canaries,	5	1,584	86	15,722	—	—	—	—	5	1,584	86	15,722
Straits and Gibraltar,	31	4,705	10	2,013	2	184	—	—	33	4,889	10	2,013
Italy,	71	12,337	37	6,075	3	388	2	216	74	12,725	39	6,291
Minorca,	4	469	1	119	—	—	—	—	4	469	1	119
Turkey,	6	2,456	—	—	—	—	—	—	6	2,456	—	—
Ireland,	5,710	498,398	3	157	1,446	87,024	1	63	7,156	585,422	4	225
Isles, Guernsey, &c.,	586	38,655	2	276	8	786	—	—	594	39,441	2	276
Isle of Man,	317	10,248	—	—	14	611	—	—	331	10,859	—	—
Greenland,	51	15,077	—	—	10	2,652	—	—	61	17,729	—	—
United States,	37	9,309	470	105,476	25	5,072	37	7,120	62	14,381	507	112,596
British Colonies,	227	34,143	—	—	59	10,299	—	—	286	44,442	—	—
British West Indies,	467	126,862	—	—	57	13,381	—	—	464	140,213	—	—
Conquered Islands,	199	51,762	1	195	21	3,852	—	—	220	55,614	1	195
Foreign West Indies,	—	—	5	757	—	—	—	—	—	—	5	757
Honduras Bay,	3	843	—	—	—	—	—	—	3	843	—	—
Florida,	—	—	2	579	—	—	—	—	—	—	2	579
Nootka Sound,	1	149	—	—	—	—	—	—	1	149	—	—
South Whale Fishery,	24	6,382	—	—	—	—	—	—	24	6,382	—	—
Africa,	159	39,116	6	1,134	—	—	—	—	159	39,116	6	1,134
Cape of Good Hope,	10	2,290	—	—	—	—	—	—	10	2,290	—	—
Asia,	64	49,284	6	1,990	—	—	—	—	64	49,284	6	1,990
New Holland,	3	2,008	—	—	—	—	—	—	3	2,008	—	—
The Totals in 1800,	9,776	1,269,329	4,658	654,713	2,091	175,942	235	20,338	11,867	1,445,271	4,893	685,051
The Totals in 1790,	10,757	1,260,828	1,102	144,132	2,005	164,084	38	4,787	12,672	1,424,912	1,140	148,919

§ XXII. *Of its Ports.*] To the ships employed in the foreign trade of Scotland the next object of natural inquiry is the ports of the customhouse, which give entrance and clearance to the shipping of North-Britain. Such establishments where customary dues were collected, may be traced back in the chartularies to the early reign of David I., perhaps to that of Alexander I. (*n*). Such establishments have continued under various modifications to the present day. They appear to have assumed, before the Union of Scotland with England in 1650, from the destination of nature, the location, and members of late times (*o*). After the Union, in 1707, the ports seem to have been again set out with local descriptions and legal authorities (*p*). On the east coast there are fifteen ports, including the Orkney and Shetland isles (*q*). There are fourteen ports on the western coasts of North-Britain, with the same authorities and similar uses, extending from Stornoway on the north, to Dumfries on the south (*r*). Such, then, are the several customhouse ports of

(*n*) Caledonia, i., 777-9. (*o*) MS. in the Advocates' Library. (*p*) MS. Customhouse.

(*q*) The following are the fifteen ports on the eastern shore of Scotland, each having its subordinate creeks: (1) *Dunbar* is the most southern, and extends five and twenty miles along the coast, from the bound road; (2) *Preston Pans* extends along the shore of the Forth four and twenty miles, from the northern boundary of the former port; (3) *Leith*, the port of Edinburgh, extends, from the northern limit of Preston Pans, six miles along the same shore; (4) *Borrowstowness* has for its limits twenty miles on the southern side of the Forth, and sixteen on the northern; (5) *Alloa*, including Stirling, extends twenty miles along the northern shore of the Forth; (6) *Kirkcaldy* extends from the limits of Alloa five and twenty miles along the same shore; (7) *Anstruther* extends five and twenty miles along the shore of the Forth, where the limits of Kirkcaldy ends, to Edenmouth, on the German sea; (8) *Dundee* next succeeds, extending three and twenty miles along the south side of the Tay from Edenmouth, and fourteen miles along the northern shore of the same river, from Powgavie; (9) *Perth* has for its limits seventeen miles on both the sides of the Upper Tay; (10) *Montrose* extends along the German Sea from Buddon-ness, nine and thirty miles; (11) *Aberdeen* extends from Tod-head, on the German Sea, to Buckie, on the Moray Frith; (12) *Inverness* has for its limits a hundred and ninety miles on both sides of the same frith; (13) *Thurso*, on the North Sea, extends two hundred and forty miles eastward and westward from its harbour; (14) *Kirkwall* is the only port of the Orkney Isles; (15) and *Lerwick* is the sole port of Shetland.

(*r*) (1) *Stornoway*, which is situated on the eastern extremity of Lewis Isle, comprehends within its extensive limits the thousand islands which lie in the Atlantic Sea, from the Butt of Lewis on the north, to Burrahead on the south; (2) *Islemartin*, or rather *Ulla-Pool*, on Lochmore, extends along the western coast from the limits of Thurso to Applecross; (3) *Fort William*, lying on Locheil, comprehends one hundred and ninety miles of that coast, with many of the nearest isles; (4) *Tobermory*, situated on the northern point of Mull, comprehends a hundred miles of the same continent, with many adjacent isles; (5) *Oban* comprehends about eighty miles of the same shore, with many islands, from Appin to Duntroon; (6) Campbeltown, on Kintyre, extends a hundred miles

North-Britain, which are attended with a greater or a less convenience, according to the natural position of a singular coast, and the numbers of shipping which from various causes belong to each district.

It may gratify a reasonable curiosity to have a distinct view of the numbers of shipping in each port alphabetically arranged, as they were variously employed during the year 1800, from the custom-house register in the annexed

TABULAR STATEMENT:

THE PORTS.	Foreign Trade.			Coast Trade.			Fishing Vessels.			The Totals.		
	Ships.	Tons.	Men.	Ships.	Tons.	Men.	Ships.	Tons.	Men.	Ships.	Tons.	Men.
Aberdeen	48	5,597	332	240	18,484	1,278	8	189	48	296	24,270	1,658
Ayr	20	2,115	160	14	609	54	16	764	44	50	3 488	258
Alloa	26	3,042	166	65	3,010	192	7	289	71	98	6.341	429
Anstruther	9	823	60	41	1,620	133	—	—	—	50	2,443	193
Borrowstouness	23	2,330	149	111	6,415	429	—	—	—	134	8,745	578
Campbeltown	8	733	54	22	600	77	57	2,743	634	87	4,076	765
Dumfries	1	60	5	19	747	59	10	439	32	30	1,246	96
Dunbar	2	223	14	11	589	37	3	770	118	16	1,582	169
Dundee	47	4,707	298	88	4,407	338	2	488	70	137	9,602	706
Fort-William	—	—	—	7	247	23	—	—	—	7	247	23
Inverness	—	—	—	35	1,830	151	—	—	—	35	1,830	151
Irvine	67	4,713	331	23	1,238	98	18	708	104	108	6,659	536
Ullapool	3	168	13	2	76	6	8	239	26	13	483	45
Kirkcaldy	56	8,527	493	31	1,274	107	44	173	213	131	9,974	813
Kirkcudbright	—	—	—	21	856	66	8	432	91	29	1,298	157
Kirkwall	1	56	5	14	836	76	2	145	32	17	1,037	113
Leith	56	8,180	467	52	2,996	202	2	575	72	110	11,753	741
Lerwick	6	257	21	2	141	10	—	—	—	8	398	31
Montrose	38	2,967	235	68	3,105	240	—	—	—	106	6,072	475
Oban	1	39	4	13	722	59	7	199	52	21	960	115
Perth	9	1,329	66	27	1,525	104	—	—	—	36	2,854	170
Port Glasgow	56	9,059	746	33	2,292	141	9	254	32	98	11,585	919
—— Greenock	204	26,707	1,938	165	9,546	611	187	7,953	1,374	556	44,206	3,923
—— Partick	3	103	14	3	159	17	—	—	—	6	262	31
Prestonpans	—	—	—	1	47	3	—	—	—	1	47	3
Rothesay	—	—	—	11	594	48	79	3,849	901	90	4,443	949
Stornaway	—	—	—	—	—	—	51	1,982	225	51	1,982	225
Stranraer	—	—	—	8	124	11	40	1,480	358	43	1,604	369
Tobermory	1	25	3	2	42	6	1	45	3	4	82	12
Thurso	2	167	12	17	946	77	—	—	—	19	1,113	89
Wigtown	—	—	—	28	1,046	78	—	—	—	28	1,046	78
The Totals	687	81,907	5,589	1,169	66,133	4,731	559	23,688	4,500	2,415	171,728	14,820

from Duntroon to Barmore, with the adjacent isles; (7) *Rothesay* has for its port Bute, Arran, and the Cumbraes; (8) *Port-Glasgow* comprehends the whole Clyde above, with various subordinate members; (9) *Irvine*, on the Frith of Clyde below, comprehends eighteen miles of the southern shore, from Largs to Troon-point; (10) *Ayr*, on the same frith, comprehends five and twenty miles, from Troon-point to Sandhouse on the south; (11) *Stranraer*, lying along the south-west coast, comprehends seventy-five miles; (12) *Wigtown* has for its limits thirty-five miles of the same coast, from Gillespie burn on the west; (13) *Kirkcudbright* comprehends thirty-five miles of the same coast; (14) and *Dumfries* extends from the water of Urr, where Kirkcudbright ends, to the water of Sark, where England begins.

§ XXIII. *Of its Fisheries.*] Connected with all those topics is the *Fishery* of North-Britain. This great object of general desire and public encouragement scarcely existed in *Celtic* Scotland, because the Celtic people considered fish as forbidden food, and hence none of the Celtic nations have ever been famous for the use of fishing or the practice of navigation. With the introduction into Scotland of a new people of a different lineage new customs began. As early as records commenced, we may trace in the chartularies, fishings, as objects of desire in the subjects, and of grant in the kings, and hence, at the epoch of record, fishery was deemed among the *regalia* in the jurisprudence of North-Britain (*a*). During the Scoto-Saxon period of the Scottish annals every sort of fishing, whether in the rivers or in the sea, whether moveable or stationery, was introduced with appropriate rights (*b*). But those individual privileges soon became general wrongs. The owners of the fisheries by erecting weirs, cruives, and other obstructions in the rivers, attempted to appropriate to themselves what nature had made free for every one; and as early as the reigns of the Alexanders an assize was passed directing the mid-stream to be free (*c*). While this assize was supposed to be obsolete, its general principle was expanded and restricted by several statues (*d*). In 1471 the parliament of James III. extended the fishery to the open sea, by providing that nets and vessels should be provided for fishing on the west coast (*e*). But the principles of a Celtic people, the wide diffusion of settlement on an inhospitable shore, and more recently the discouraging regulations of the salt-laws, have hitherto prevented the good effects of a thousand encouragements (*f*). From

(*a*) See the chartularies everywhere; and Lord Stair's Institutes, 235-5. The chartularies establish *the fact;* that great lawyer, for the support of his opinion, refers to an abstract principle.

(*b*) Caledonia, I., 782-3-5.

(*c*) The assize "De aquis cognita" provides, "Ut filum cujuslibet aque sit liberum." This assize is in the Berne Collection of the *Leges Scotie.* But it is not appropriated in that very ancient MS. to any king. Skene gives it to Alexander II., though without authority. It must have been made by some of the predecessors of Robert I., as the MS. was written before his accession. The late Lord Hailes has favoured his readers with a learned exposition of that ancient assize. An., i., 340. The great charter of England had already provided for the freedom of fish.

(*d*) Lord Stair's Institutes, 235-7. (*e*) 6 Parl., James III., ch. 49.

(*f*) The committee on the fishery reported to the House of Commons, on the 11th of May 1785, among many considerations of great importance, "that the present system of the salt laws is one of "the principal causes that the fisheries of Great Britain have never been carried to the height of pros-"perity and advantage of which they are capable."

the reign of James III. to the epoch of the Union, a thousand laws were passed by the Scottish parliament on this important point of domestic economy, which sometimes promoted, and as often restrained the commerce of fish (*g*). The British parliament continued its efforts of fishery with somewhat more success. Much has been obtained, though much remains to be acquired. It is of great importance to keep the lamp of adventure burning. Meanwhile, several towns on the western coast of North-Britain, Greenock, Rothesay, and Campbeltown, have been reared from infancy to manhood. And since the beginning of the present reign, many a ship and thousands of seamen are busily employed, which at that epoch had not an existence (*h*).

§ XXIV. *Of its shipping.*] It is now time to cast some retrospective glances, on the shipping of Scotland in various ages, as far as they can be traced either in the chartularies or in the custom-house registers. During the earliest ages, the vessels of the Britons of South and North-Britain consisted, as we have seen, of canoes and currachs. The rival kings of Kintyre and Argyle, Dunca-beg and Selvach, contested, in 719 A. D., for the naval superiority of the Clyde, in their currachs (*i*). During many a rude age, they did not undergo much change, either in their fashion or in their numbers. The Celtic descendants of the Gaelic settlers in Wales, in Ireland, and in Scotland, even to our own times, have shown no passion for shipping. At the epoch of record, when the twelfth century commenced, and when the Scoto-Saxon people began to flourish, Scotland, we may perceive, had some ships. The monks, as they were the first agriculturists, the first bankers, and the first traders, were also among the first ship-owners (*k*). In such a country, shipping could not much increase amidst the fierce hostilities of so many centuries. In 1512, James IV. sent a fleet in aid of France, comprehending one ship, which is said to have been of larger size than had ever been seen. What shipping or what trade could a people possess who prohibited the sailing of ships from Hallowmas to Candle-

(*g*) See Stewart's Abridgment of the Scots Statutes, article *fish and fishing.*

	Ships.	Tons.	Men.
(*h*) In 1760 Scotland had of fishing vessels, - - -	113	3,842	677
In 1800 she had of such vessels, - - - -	559	23,688	4,500

(*i*) Caledonia, i., 291.

(*k*) Ib., 782. The monks of Scone, we may remember, had a ship which Alexander II. was studious to protect from the people of Caithness; and the monks of the Isle of May, like the monks of England, had their shipping.

mas (*l*). Scotland can scarcely be said to have had shipping at the accession of King James VI. to the English throne (*m*). In 1656, the whole vessels of North-Britain, from three to two hundred and fifty tons each, amounted merely to 137 barques and brigantines, carrying 5,736 tons, which are rather under the quantity of tonnage at present in the port of Montrose (*n*). At the Restoration, the Scottish Parliament adopted the policy of the English Act of Navigation (*o*) ; but, having fewer means, with less success. At the Revolution, the Scottish parliament entered zealously into commercial enterprises ; but, meeting everywhere the rivalry of England, the Scottish traders did not possess, in 1692, many more vessels than they had enjoyed in 1656. Their shipping were probably somewhat increased in numbers and in tonnage by the Union of 1707, as the Scottish merchants were now admitted into a participation of the English trade. Before the year 1712, their shipping had increased to the number of 224 vessels, carrying 10,046 tons. In the year 1787, they had been augmented to 1700 vessels, bearing 133,046 tons. They actually amounted, in 1797, amidst extensive war, to 1,950 vessels, of the burden of 137,200 tons. And the Scottish shipping had still further increased, in 1806, amidst the vicissitudes of hostilities and of peace, to 2,788 vessels, which carried 211,431 tons.* From those facts, then, it appears that the naval superiority of Britain ensures her people a greater number of shipping, at the end of every war, than they had possessed at the beginning of each course of hostilities. The Scottish shipping continue to increase during the present war, which has little deranged the Scottish traffic notwithstanding every obstruction ; and from this circumstance we might infer that the traders of Scotland happily possess more capital, more skill, and more enterprise than in any former age. But it may afford additional information, as well as some pleasure, to see a series of the shipping of Scotland distributed in their various trades during upwards of forty years, as they are accurately arranged in the following.

(*l*) Stat. James III., James IV., and James V.

(*m*) Commons Journals, vol. i.

(*n*) MS. in the Advocates' Library ; and the Register of the Custom-house.

(*o*) Parl. I., ch. ii., sess. 1, ch. xliv.

* In 1840 the tonnage of Scottish shipping had increased to 429,204 tons ; since when, by the great development of steam navigation, the tonnage had increased in 1860 to 623,791 tons for 3486 vessels ; to 1,448,040 tons in 1880 ; and to 1,723,204 tons in 1886. The number of vessels in 1886 was 3267, of which 1839 were sailing and 1428 steam.—*Ed.*

TABULAR ABSTRACT of the Shipping of Scotland, from the Custom House Register, as they were severally employed in each Year, from 1760 to 1800.

YEARS.	Foreign Trade.			Coast Trade.			Fishing Vessels.			The Totals.		
	Ships.	Tons.	Men.	Ships.	Tons.	Men.	Ships.	Tons.	Men.	Ships.	Tons.	Men.
1760, -	454	35,067	3,709	432	15,004	1,557	113	3,842	677	999	53,913	5,943
1761, -	412	33,584	3,586	510	18,232	2,037	121	4,005	704	1,043	55,821	6,327
1762, -	405	32,860	3,461	498	17,384	1,905	126	4,522	839	1,029	54,766	6,205
1763, -	469	36,308	3,624	464	16,706	1,702	187	7,239	1,438	1,120	60,253	6,764
1764, -	504	37,776	3,776	557	21,128	2,135	185	8,101	1,762	1,246	67,005	7,673
1765, -	531	42,540	4,170	569	23,286	2,265	232	9,924	1,984	1,332	75,750	8,419
1766, -	506	39,140	3,674	550	21,532	2,080	242	12,665	2,643	1,298	73,337	8,397
1767, -	535	43,674	4,010	569	22,694	2,154	281	12,007	2,698	1,385	78,375	8,862
1768, -	591	47,644	4,340	588	24,098	2,323	299	13,324	2,749	1,478	85,066	9,412
1769, -	591	48,479	4,384	594	24,615	2,506	290	13,275	2,812	1,475	86,369	9,702
1770, -	665	51,293	4,741	622	26,167	2,454	222	11,385	2,265	1,509	88,845	9,460
1771, -	604	48,844	4,427	677	28,623	2,667	222	10,985	2,113	1,503	88,452	9,207
1772, -	643	51,484	4,555	661	28,334	2,624	253	11,652	2,373	1,557	91,470	9,552
1773, -	684	52,931	4,675	632	26,515	2,595	262	12,275	2,553	1,578	91,721	9,823
1774, -	692	52,181	4,476	648	26,214	2,575	306	14,902	2,866	1,646	93,297	9,917
1775, -	635	51,448	4,302	606	23,979	2,355	318	15,903	3,306	2,559	91,330	9,963
1776, -	603	48,598	4,144	660	25,131	2,421	377	17,764	3,782	1,640	91,493	10,347
1777, -	623	50,553	5,142	613	23,529	2,124	309	14,947	3,235	1,545	89,029	10,501
1778, -	636	52,352	5,409	633	25,587	2,251	348	16,976	3,603	1,617	94,915	11,263
1779, -	609	48,929	5,517	646	26,613	2,230	266	12,781	2,662	1,521	88,323	10,409
1780, -	542	44,277	4,864	705	28,683	2,324	244	11,455	2,197	1,491	84,415	9,385
1781, -	526	42,113	4,598	697	28,430	2,413	241	10,535	2,174	1,464	81,078	9,185
1782, -	524	40,530	4,032	690	27,585	2,331	217	9,882	2,041	1,431	77,997	8,404
1783, -	556	42,138	3,843	647	27,523	2,278	262	10,473	2,152	1,465	80,134	8,273
1784, -	643	50,386	4,241	709	32,042	2,511	297	12,421	2,519	1,649	94,849	9,271
1785, -	756	60,078	5,062	786	36,371	3,019	258	11,252	2,502	1,800	107,701	10,583
1786, -	762	70,991	5,472	853	40,163	3,224	321	18,159	3,436	1,936	129,318	12,132
1787, -	801	85,893	6,068	878	42,963	3,190	338	20,468	3,945	2,017	149,324	13,203
1788, -	766	80,796	6,648	951	48,035	3,414	341	22,006	4,185	2,061	150,838	13,247
1789, -	793	84,206	5,838	958	47,901	3,555	381	22,798	4,373	2,132	154,905	13,766
1790, -	794	86,823	5,726	950	47,688	3,388	361	19,898	3,807	2,105	154,409	12,921
1791, -	776	85,468	5,763	1,058	51,998	3,999	388	19,632	4,020	2,222	157,098	13,782
1792, -	718	81,027	5,494	1,022	50,940	3,965	376	19,890	3,827	2,116	154,857	13,286
1793, -	698	80,024	5,195	1,143	57,318	4,393	393	17,973	3,460	2,234	155,315	13,048
1794, -	612	66,864	4,268	1,074	55,311	4,121	418	19,547	3,994	2,104	141,722	12,383
1795, -	553	63,168	3,896	1,061	56,187	3,976	382	16,526	3,313	1,996	135,882	11,185
1796, -	599	66,386	4,284	1,032	52,790	3,931	447	19,112	3,663	2,078	138,289	11,878
1797, -	508	61,629	3,799	1,072	56,695	4,237	430	18,364	3,406	2,010	136,688	11,442
1798, -	597	67,538	4,624	1,172	63,267	4,400	467	19,886	3,735	2,236	150,691	12,759
1799, -	674	76,594	5,546	1,116	59,997	4,329	381	14,099	3,118	2,171	150,690	12,993
1800, -	637	81,907	5,589	1,169	66,133	4,731	559	23,688	4,500	2,415	171,728	14,820

§ XXV. *Of its Wealth, private and public.*] From years of industry and from periods of improvement it is reasonable to infer that the Scottish people must have meantime made many acquirements of *private wealth* and *public opulence.* During the Scoto-Saxon period of the North-British annals, the inhabitants of Scotland obtained much of what constitutes riches, at least of native products and domestic comforts. With the demise of Alexander III., acquisition must have ceased, when waste began. Throughout several centuries of disputes and hostilities, the Scottish people must necessarily have spent much more than they gained. The civil wars of Charles I.'s time left them completely exhausted in their property and in the means of acquiring wealth. In the fifty years which ensued, fanatical practices and revolutionary politics did not enable a people, who were oppressed by their own fanaticism as much as by the harshness of their governors, to acquire either the comforts of riches or the habits of business. A nation who could not, by the various employments of its traders, give occupation to a bank with a capital of thirty thousand pounds, attempted in an evil hour to colonize Asia, Africa, and America. This distant effort only evinced their domestic inquietude. Their disappointments did not either energize or enrich them. The Union of 1707 was the epoch of some melioration, though not, perhaps, of much acquisition. The epoch of acquirement was fifty years later. At length, in 1800, the industrious people of North-Britain were found to enjoy a taxable income of four millions and a half, which, with their commerce, yielded a private and public revenue of great extent.

§ XXVI. *Of the moral Effects.*] It is of equal importance to estimate the *moral effects* both of private riches and public wealth, on the Scottish people from their gradual prosperity. Their opulence and morals kept pace nearly with each other; as the increase of their riches accumulated nearly in proportion to the activity of their advancement and their habits of economy. From coarseness, however, to refinement, wide is the distance. When the British Isles were originally explored by the inquisitive voyagers of antiquity, the inhabitants were in the rudest condition; as we know from their appropriate remains. When the British people were first noticed by the classic authors, they still appear to intelligent eyes in a savage state. It was the Roman conquests which introduced among that brave but untutored people some civilization. From the Romanized Britons, the wildest of the Caledonian tribes derived some polish. Ages, however, elapsed before anything like civilized society appeared among the Northern-Britons, whether Caledonians or their

kindred Picts. Their habits may have taken a new cast, from the arrival among them of various tribes during the fifth, the sixth, and the seventh centuries. Yet the Saxons, the Scots, and the Picts, continued through many a wretched period, by turns uncivilized by christianity and unimproved by collision. The twelfth century saw a great change take place both in the people and in their manners. The introduction among the Scots, during that and the subsequent age, of English, Normans, and Flemings, undoubtedly gave a new form to habits and a different turn to practices, though the Scottish civilization still admitted of great improvement. The demise of Alexander III. in 1286, with its sad effects, plunged the nation back into ages of conflicts with their accompanying immoralities. The *Reformation*, conducted as it was, only aggravated the evils of a wretched degeneracy. Universal history evinces how much civil wars deteriorate the human character. The domestic wars of Charles I.'s disputatious times, the religious troubles of Charles II.'s factious age, the revolutionary warfare of William's reign, did not amend the morals of the Scottish people. They became a moral, when they became an industrious nation. Employment is the parent of innocence as well as of profit. While Scotland advanced in her commercial enterprises, domestic and foreign, and accumulated private and public wealth, her people distinguished themselves by the variety of their genius, the extent of their erudition, and the products of their literature.

§ XXVII. *Of its Chorography.*] Connected with the foregoing topics is its *chorography*, which the Scottish people also cultivated during those disastrous times, though not with much skill. It was, indeed, late before the age of map-making any where arose. Among the ancient philosophers, Anaximander is said to have been the first who essayed to make a map, by drawing out the representation of a country, five centuries and a half before our usual era. His knowledge could not have been great; and his execution must have been rude. Maps were better executed in the speculative age of Socrates, and were better known in the inquisitive times of Herodotus. It was the irruption of Alexander into Asia which first laid open the East to the curious eye of liberal science. It was the conquests of the Romans, that took a contrary direction, which enlarged the views of geographic knowledge in Western Europe. Yet during the learned days of Julius Cæsar little was known of the British world. The fleet of Agricola, by making a circumnavigation, first ascertained Britain to be an island. This was a wide step. The progress of the Roman arms, however, under the command of Lollius Urbicus, during the reign of Antoninus,

more fully exposed the northern parts of this island to the erudite curiosity of the accomplished age of the Antonines. But it was the sun of Ptolomy which gave a new day to universal geography, a century and a half after the birth of Christ.

Yet the table of Ptolomy, which ranks as the earliest map of North-Britain, has exhibited that country in a very unlucky aspect by giving an eastern direction to what ought to bear directly to the north (*p*). The next delineation, as well in curiosity as in usefulness, is the map of *Britannia Romana*, by Richard of Cirencester, 1338 (*q*). There are other maps of North-Britain, which were also made soon after, and which are not only curious but useful for the topographical knowledge that they convey of Scotland during the Middle Ages (*r*). At the revival of learning, Mercator and Ortelius, Saxton and Speed, published maps of North-Britain : Bishop Lesley offered to the public, at Rome, in 1578, with his work, *De Origine moribus, et rebus gestis Scotorum*, what has been deemed improperly the first map of North-Britain. But there is not one of those maps, from the draught of Mercator to the sketch of Lesley, which can be considered as either useful or curious. The voyage which James V. made into the Western Islands in 1540, for the purpose of navigation as well as of government, merits just celebration (*s*).

(*p*) We may easily suppose his mistake to have arisen from the misinformation of the Roman officers, who, standing on the shore of the Moray frith, and seeing the land beyond it run without their ken to the right hand, imagined that the whole country took a positive direction to the eastward.

(*q*) See Richard's map in Bertram's edition of 1757, and Stukeley's map of Richard, with Whitaker's useful commentary, in his history of Manchester.

(*r*) See Gough's Topography ii., for the curious map of Harding. It is material to remark, during the present times of union and of amity, how diligent the ministers of England were in the earliest times, to get the most accurate and minute information, with regard to every part of Scotland. Harding's map and description of Scotland were presented to Edward the IVth, on that inquisitive principle of national interest. Ib. 579. On the 17th of June, 1548, a warrant was issued "for forty "shillings to *Cecil*, given in reward to Mark Brown, for a plat of the coast, about the river of Tay, in "Skoteland." Privy Coun. Reg. On the 27th of December, 1550, a warrant for £5 was granted to Clement Adams, "for his charges sustained about the new making of a plott of Scotlande." Privy Coun. Reg. I have obtained from the College of Arms, the copy of a paper, which was probably drawn up during the hostile reign of Edward VI., entitled, "An Abstract for an Englishman to know the realme of Scotland throughout." Towards the conclusion of Elizabeth's reign, Lord Burleigh had procured very accurate sketches of the countries lying on each side of the borders, with accounts of the families living thereon ; and had obtained also very minute descriptions of the western isles, all which remain in the Paper Office.

(*s*) There was a hydrographical account of that voyage published at Paris, in 1583, by Nicolay

Soon after the beginning of the seventeenth century the intelligent men of Scotland began to make surveys of its shires before they had yet ascertained any accurate outline of the whole. Timothy Pont, who is celebrated "as by nature "and education a complete mathematician," was the first projector of a *Scottish Atlas* (*t*). He personally surveyed several counties and islands, but he unhappily died before he had completed his laudable enterprise. The project and papers of Pont were afterward delivered to Gordon of Straloch, who undertook to finish this difficult work under the patronage of Sir John Scot the director of the Scottish chancery (*u*). In 1649 the Assembly of the Church of Scotland gave the aid of their approbation to this national undertaking (*x*). The charts were at length transmitted by Scot to Blaeu, the bookseller of Amsterdam, who published the first edition of his *Atlas Scotiæ* in 1655, and the second in 1662 (*y*). With this splendid *Atlas* which was given by Blaeu in

D'Affreville, the royal cosmographer of the French king. My copy of this curious work is not illustrated by any chart; but there was published at Edinburgh by John Adair, in 1688, an Hydrographical Description of the Sea Coast and Isles of Scotland, made in a voyage round the same by James V. The epoch of this royal voyage was placed mistakingly by Buchanan in 1535, and by Lesley in 1538: but the MS. account book of Cardinal Beaton, in the Advocates' Library, proves clearly that 1540 was the true epoch of that voyage.

(*t*) Nicolson's Hist. Lib., 1702, p. 25. Timothy Pont probably died between the years 1625 and 1630. He was the son of the Rev. Robert Pont, who was also a mathematician. Being appointed one of the senators of the college of justice, he obtained the consent of the Kirk of Scotland on the 12th of January, 157 $\frac{1}{2}$, with a protest, however, of the Assembly, that this assent should not form any precedent. Melville's MS. Abstract. He seems to have been a vigorous character: for in 1584 he protested, on behalf of the Church, against the acts of the late parliament, as not obligatory on the Kirk. This was done in the true spirit of the times; but he was obliged to flee; and he was put from his place in the Session, saith Spottiswoode. Hist., p. 333. Robert Pont died on the 8th of May, 1608, aged 81. Maitland's Edin., 179. This aged ecclesiastic was the son of John Pont, a Venetian protestant, who had fled to France, and came into Scotland with James V., in the retinue of Q. Magdalene. He obtained the lands of Shyresmill, and married Catherine, the daughter of Moray of Tullibardin.

(*u*) Ib., 7.

(*x*) Among the unprinted Acts of Assembly, 1649, there is "a recommendation to the brethren "to make out descriptions of those parts of the kingdom which were not yet described." Blaeu complains, however, that this ecclesiastical ordinance was not very punctually obeyed. The clergy of that age were otherwise occupied than with chorographical inquiries. It was reserved for a subsequent period, to obtain the general concurrence of the ministers in giving minute accounts of their several parishes.

(*y*) The map of Aberdeen is No. 33 in Blaeu's *Atlas Scotiæ*. Argyle is laid down in 7 Nos. in the same collection. Ayrshire is exhibited in 4 Nos., corresponding with so many districts. Banffshire, with Aberdeen, by Gordon of Straloch, is No. 33 in Blaeu. Berwickshire is repre-

several European tongues, the people of Scotland remained sufficiently content during many years. Sir Robert Sibbald, the king's physician, was appointed by Charles II. geographer for North-Britain; but though he circulated his local inquiries among ingenious men he did not publish any satisfactory result. At the end of the seventeenth century, John Adair, a professed artist, undertook to make surveys and give descriptions of the coasts and islands of North-Britain. This surveyor is praised by Bishop Nicolson "as an artist who can "never be too often mentioned (*z*). Yet his sketches remain without much notice, because having little science in their construction they are without much use, and have at length been superseded by more accurate charts (*a*).

At length appeared Murdoch Mackenzie, the grandson of the bishop of Orkney, a surveyor of more skill and diligence, who made a nautical survey of the same isles and some of the same shores (*b*). His charts, as they are

sented by him in Nos. 8 and 7. Bute and Arran are represented in Nos. 33 and 25. Caithness is No. 40; and Caithness, Ross, and Sutherland are delineated in No. 36. Lennox, in Dumbartonshire, is No. 28 in Blaeu. The three districts of Dumfries may be seen in Nos. 11, 12, 13. The three Lothians are represented in No. 9. Fife is delineated in Nos. 30, 31, 32. The great shire of Inverness is represented in six several maps. Galloway is delineated in Nos. 14, 17, 18. The two divisions of Clydesdale are represented by Nos. 6 and 26. Moray is delineated in No. 37, together with Nairn. Orkney and Shetland are laid down in No. 49. Tweeddale is No. 5. Perth is No. 34. Renfrew is No. 27. Ross is No. 36. Roxburghshire is delineated in No. 4 of Blaeu; and Stirling is laid down in No. 2 by the same artist, to whom Scottish topography owes so much elucidation, though his draughts are far from perfect.

(*z*) Hist. Lib., 25. Adair appears, indeed, to have been a fellow of the Royal Society, the geographer for Scotland; and as early as 1686 to have been protected by the Scottish Parliament, who passed an "act in favour of John Adair, geographer, for surveying the kingdom of Scotland, "and "navigating the coasts and isles thereof." Stat. 1st Parl., Ja. VII., ch. 21. The views of Parliament were just, and the encouragement to Adair was a tax on shipping, which were to be benefitted by his labours. In 1704 he was again encouraged by the Parliament of Anne, though, perhaps, without much benefit. Sir Alexander Murray, in 1740, invidiously remarked "that the making of such sur-"veys was discouraged by the *great lords*, who wanted to hide the vast extent of their jurisdictions." But the great lords could have prevented the passing of such statutes. The surveys were actually made; yet from the paucity of shipping during that age the surveyer, who spent his life in the public service, received but little for his pains. He began to publish his sketches, which were wretchedly engraved by Clark and Moxon, under James VII., and continued to publish them under King William and Queen Anne.

(*a*) In the Paper Office there is a letter from Adair to the Secretary of State, the Earl of Mar, in June, 1713, stating his services and claims, and containing a long list of his unpublished surveys. Adair was alive in 1715; but my researches have not discovered when he closed his life of labour.

(*b*) I have before me a certificate, dated the 19th of November, 1742, from Colin Maclaurin,

more scientific as well as accurate, have proved of much more benefit to a naval people by giving greater safety to navigation (*c*). The very dangerous shore from Cape Wrath on the west to Duncansby-head on the east, remained still unsurveyed. This northern coast of Scotland, with the Pentland frith, was surveyed about the year 1740 by Alexander Bryce, the learned minister of Kirknewton, a gentleman of more various science than Adair or Mackenzie. In 1744, this excellent man, at the desire of the Philosophical Society of Edinburgh, gave his valuable map to the public with some curious and interesting observations (*d*). During our own times, Murdo Downie, a master in the royal navy, surveyed the east coast of Scotland from Duncansby-head to the Staples, a chart whereof he gave to the public in July 1792 (*e*). In the meantime, maps of several shires in North-Britain, from actual surveys, have been published, which will be hereafter mentioned; and which will be found good supplements to Pont's surveys, and Gordon's maps. In 1766 were published, by Taylor and Skinner, actual mensurations of the existing roads in Scotland, which from their accuracy are of the greatest use to topographical inquiries (*f*).

But of a general map of North-Britain, nothing appeared after the delineation of Speed which merits much regard; as neither the science of map-making

the celebrated professor, of the qualification of Murdoch Mackenzie, "to take a *geometrical survey*." Mackenzie's Treatise of *Maritime Surveying*, which was published in 1774, justifies the professor's opinion.

(*c*) He published in 1750 his *Orcades*, a geographic and hydrographic survey of the Orkney and Lewis Isles. He was now taken into the service of the Admiralty. In 1751 he was sent with Commodore Rodney in quest of an unknown island. In 1776 he published, in two vast volumes, with many charts, a Marine Survey of Ireland, and of the west coast of Great Britain, from the Bristol Channel to Cape Wrath, the north-west point of Scotland. These extensive and useful surveys were made by the order of the Lords of the Admiralty. Murdoch Mackenzie died, a fellow of the Royal Society, 1797, a very aged man, as he was born in 1712. In 1794 Captain Huddart published a hydrographical survey of the north coast of Ireland, and the west coast of Scotland, from Tory Island to Cape Wrath, including the western islands.

(*d*) Mr. Bryce's map has stood the test of critical examination. This useful citizen, to whom his country owes several other services, died in 1786, one of the king's chaplains for Scotland, I am indebted for some of those particulars to the instructive letter of his son, the Rev. William Bryce, at Aberdour.

(*e*) He also published, in 1792, "the New Pilot for the East Coast of Scotland," which, to a nautical nation, is a very useful book.

(*f*) Various sketches of Scotland, with delineations of the roads, had been indeed published during the rebellion of 1745. Gough's Topography, ii., 586. But they did not pretend to the accuracy of measurements.

nor the art of map-engraving were sufficiently understood in this island. At length in 1653, Gordon of Straloch communicated to Blaeu a delineation of *Scotia Antiqua* (*g*); but it is far inferior in usefulness to the Table of Ptolomy and the map of Richard, which convey so distinctly the chorography of North-Britain during Roman times. In after ages, various maps of North-Britain were printed without much of public attention, as they were of little value (*h*). Thus many maps of Scotland had been offered to the public, but not one delineation which could bear accurate examination. As late as the busy year 1746, there did not exist any printed map of that country which an intelligent officer could trust for his military operations. This truth was felt by General Hawley when he was going in the dark to command against the insurgents, who knew the country without a map (*i*). Meanwhile, Dorret, a land sur-

(*g*) See it in Blaeu's *Atlas Scotiæ*. In this interesting work there is also a geographical sketch, entitled *Scotia Regum*. Gordon of Straloch, who was superior to his age in scientific knowledge, as well as in useful enterprise, died in 1661, aged 81. The Scottish Parliament, in June 1633, confirmed to Robert Gordon of Straloch, his heirs-male, and assigns a grant, in 1630, of the whole lands which had belonged to the dissolved priory of Monymusk, for his encouragement. Unprinted Act of that year. But, saith Bishop Nicolson, Gordon was incapacitated, by the iniquity of the times, from executing his great work. Hist. Library, 18. Gordon's superiority to Pont, as a geographer, is evinced by the better delineation of his map of Aberdeen and Banffshire than any of Pont's sketches in Blaeu's Atlas. It corresponds, indeed, very much with the engineer's survey of the same districts.

(*h*) Gough's Top., ii., 586-7. There was published, in 1734, by J. Cowley of London, a map for the avowed purpose of exhibiting the singular mistakes of six geographers in their maps of Scotland: Adair, Moll, and Gordon of Straloch, Senex, Inselin of Paris, and Sanson; and Cowley evinces their incompetence by "A Display of the coasting lines of their six several maps of North-"Britain, shewing the disagreement among geographers in their representations of the extent and "situation of the country, drawn from the originals as published, and laid down by one and the "same scale, according to their respective bearings and distances from the point of Ardnamurchan, "on the west." By thus laying down the principal headlands according to those six maps, he exhibits to the judicious eye the egregious errors of those six famous geographers. Cowley, who had surveyed the north-west coast of Scotland, northward from Ardnamurchan, says that "Loch Suinard, which "is navigable to the head by vessels of three hundred tons, had been entirely omitted in all former "maps." Nothing but geometrical certainty could stand the test of such scientific criticism. We are not, however, to suppose that Cowley's own map of Scotland is altogether free from the grossest blunders.

(*i*) In the Paper Office there is a very querulous letter from General Hawley, on his way to assume the command of the king's troops in Scotland, to the Duke of Newcastle, dated at Newcastle on the 29th of December, 1745. The General wrote the Secretary of State in this manner: "I am going in the dark: for Mareschal Wade won't let me have his map; he says "[the mareschal then commanded at Newcastle], his majesty has the only one to fellow it.

veyor, under the patronage of Archibald, the Duke of Argyle, published in April, 1750, a four-sheet map of Scotland (*k*). But it soon retired from the public notice, as critical examination discovered its manifold deficiencies. It is most faulty in its delineation of Argyle and the Hebrides, where it ought to have been the most perfect. The defects of Dorret made way in 1789 for Ainslie's nine-sheet map of Scotland, which also has its various imperfections.

During that disastrous period of domestic insurrection there were other officers who felt, with Hawley, the daily want of proper maps of North-Britain (*l*). The Duke of Cumberland, after he had conquered at Culloden and seen *the Highlands*, was convinced of the necessity of a new survey. He directed Colonel Watson, the deputy quarter-master general in North-Britain, to employ proper engineers for that useful object. In 1747 were at length

"I could wish it was either copied or printed, or that his majesty would please to lend it me. "'Tis for the service, or I should not be so bold." We thus perceive that M. Wade, during a long command and diligent road-making in Scotland, had procured an improved map of that country, which he communicated to the king. There certainly was perfected, as I learn from official information, "A Survey of the Highlands of Scotland, and also of the forts and military roads of "communication in that country in 1730." In fact, there was published on the 4th of January, 1746, by Thomas Welldey, "A Map of the king's roads, made by General Wade in the Highlands "of Scotland, from Stirling to Inverness, with the adjacent countries." But this could not have been the map which General Hawley mentioned to the Duke of Newcastle. I have seen, in the drawing-room of *the Tower*, a very large and accurate delineation of Scotland, which was constructed in 1730; with design chiefly to describe *the Highlands*, the countries of the several clans, with the supposed strength of each, the king's forts, the military roads, the rivers, the location of battles; every thing that a general wanted, without the distraction of many places. I think this likely to have been the original draught of Wade's map.

(*k*) It was reduced into various sizes, was sought for a while, and was even copied by the French geographers.

(*l*) Among the many maps in his majesty's library, there are several copies of Elphinston's map of Scotland, with the manuscript notes of Colonel Watson, the quarter-master, showing the posts occupied by the regular troops in 1749, and the military districts of each command in 1750. We thus see the acting quarter-master making use of Elphinston's map, which, as it was drawn by an incompetent hand from *Mercator's Projection*, distorted the whole surface of Scotland. Elphinston's map was elaborately exploded in 1746, by Jeffreys, the geographer. Gough's Top., ii. 586. On the 11th of April, 1748, the Board of Ordnance represented to the king, "the great difficulty "of getting proper persons to act as engineers; that the whole establishment of engineers consisted "only of 29, of whom 4 were appointed to carry on the works in Scotland." Whereupon the king approved of an addition to the establishment of 6 sub-engineers and 10 practitioners. The books of the Privy Council of that date. The *four* engineers who were alluded to above, were Morrison, Bramham, Gordon, and Archer, who accomplished their surveys of the military roads and military posts in 1749.

sent on this service, with appropriate attendants, the engineers, Debbieg, Manson, Howse, Williams, and afterwards David Dundas, to whom were adjoined Paul Sandby, at the age of seventeen, and William Roy, from the post office, at twenty-one. To each of those engineers were assigned different districts in the north and west; and they all returned to Edinburgh every winter, when they protracted on royal paper their several surveys (*m*). Having accomplished those various delineations on the northern side of the Forth in 1753, they were directed to extend their scientific labours to the southern districts of North-Britain, which they finally accomplished in 1755 (*n*). Cave's surveyor in the middle of October found the mountains of Tweeddale already covered with snow; he was impeded by the very hazy horizon of the Pentland hills, and in protracting his line from Edinburgh Castle to Errick-Stanebrae, he "was

(*m*) In December, 1748, the Scots Magazine, 610, observes that, "several engineers and "architects are ordered for Scotland, *to view* the north and west coasts, and mark such places as are proper to be fortified." It is a singular coincidence that, in October 1748, a scientific person, who was employed by Cave, the proprietor of the Gentleman's Magazine, made a journey from Carlisle to Edinburgh, "to settle the meridian of Edinburgh castle, for *avoiding all errors*, and *proceeding* "*on true principles* in the county maps," which were designed by the public spirited Cave. That scientific person, "having, by the favour of the moon, rode four hours before day-break [from "Errick-Stane-brae], to reach Burnswark by the sun-rise, and having effected his object by the time "proposed, found, to his great surprise, *a great variation*, from what geographers have made the "meridian of Annan and Edinburgh." Gent. Mag., 1748, p. 3, 4, 5, 205. There was, about the same time, *a great variation* between astronomers about the latitude of Edinburgh. The justly celebrated Maclaurin, having stated it in round numbers, at 55° 55′, and M. Monnier, a French philosopher, who presumed to think "that the latitude of Edinburgh is $2\frac{1}{2}$ *degrees* further north." Ib., 1749, p. 349. Monnier must have said $2\frac{1}{2}$ minutes, which had been very near the truth, as subsequent observations have settled the true latitude.

(*n*) On the 3rd of March 1759, Hugh Debbieg was one of the 12 ordinary engineers who ranked as captains; and, after rising high in his profession, rose to the rank of general in 1803. Manson and Howse seem to have retired. John Williams (if he were the same), on the 3d of March 1759, was one of the 12 extraordinary engineers, with the rank of captain-lieuteuant. At the same time, David Dundas was one of the 14 sub-engineers, with the rank of lieutenant; but having obtained a troop of dragoons, he relinquished the engineer department; and rising through the successive gradations in the army, he acquired the rank of general in 1802, obtained the red ribbon, became colonel of the second dragoons, and was appointed governor of Chelsea. In 1752, Paul Sandby left his associates at Edinburgh, after employing five years in drawing their protractions of the country, lying north-westward of the Forth, on a vast scale of 3,000 feet to an inch, without any purpose of rejoining them. But he was afterwards persuaded to return to Edinburgh in 1753, where he reduced that immense map, and drew it on a scale of 12,000 feet to an inch, with a thousand graces. For his admirable labours he received a hundred guineas. He rose to the very top of his profession, and became one of the Royal Academicians.

"carried through impervious mosses and mountains (*o*)." We may from those intimations readily suppose what difficulties the king's engineers had to encounter amidst the deep glens and rugged heights of Northern-Britain. But their knowledge and zeal and perseverance overcame every obstruction (*p*). The surveys of the southern districts were completed in 1755, and were protracted on the same scale. It was at a much more recent period that the engineer Roy, with Thomas Chamberlain from the ordnance drawing-room for his draughtsman, delineated those southern surveys according to the original scale of Paul Sandby. None of those surveys, however, extended to the Hebrides; and the chief defect of all those ingenious labours, probably, was the want of more numerous positions, settled by the mean of many observations, with well-adjusted instruments.

In speaking of those surveys more is commonly attributed to the scientific labours of the late Major General William Roy than accurate inquiry will fully warrant. Those surveys began in 1747, and were not completed till 1755, as he himself informs us (*q*). In 1752, when *the border* of the contiguous kingdoms was surveyed, Roy seems to have been present, though he did not sketch the Roman entrenchments at Chew-green, on the source of the Cocquet (*r*). He was certainly present at the survey of the wall of Antonine from the Forth to

(*o*) Ib., 1748, p. 205. It is not easy to decide whether Cave merits most commendation for his undertaking, or his surveyor most praise for his perseverance.

(*p*) From what we have seen above, we may infer that it was almost impracticable to make a survey of the Highlands, which can be deemed *strictly trigonometrical.* All that could be done was to make good use of the theodolite, the chain, the compass-box, and the sketch-book; and from their survey-book, to protract at their leisure, with minute accuracy, the bearings, the distances, the measurements, and observations. The map that was subsequently made from their various labours is the best proof of the skill and diligence with which the engineers had performed their difficult task, by methods which are sufficiently scientific for real use. It is a singular trait of human nature that, when Mr. Bryce made his nautical survey of the northern shore of Scotland in 1740, he was in some danger from the people along the Caithness shore, who, like the good folks on the Cornwall coast, did not wish navigation to be more safe; and, when the king's engineers surveyed Aberdeenshire in 1747, the country people observed, "It was for nae guide," no good. Those facts were stated to me by intelligent persons, who were perfectly acquainted with the circumstances.

(*q*) Rom. Antiq., 155-106. "The continuation of the Roman road *beyond the Tay* was "totally un-"known to him till 1771." Ib., 108. This fact, which is also stated by himself, intimates pretty plainly that he had no leading share in the surveys which were made beyond the Tay and indeed beyond the Forth.

(*r*) Rom. Antiq., 116-17. The camp at Chewgreen was not surveyed till September, 1774. Ib., pl. xxii.

the Clyde in 1755 (*s*). As the whole of those memorable surveys were made by several engineers, whatever part was performed must have been equally protracted by him, and his work communicated to the superintendent, Colonel Watson, at Edinburgh (*t*). We have now seen what share General Roy had in those excellent surveys, and what hand he had in constructing the extensive map of North-Britain which was deposited in the royal library (*u*).

After all those efforts for improving the chorography of Scotland, when the parliamentary commissioners for making roads in the Highlands sat down to execute so difficult a work, and so worthy of parliamentary munificence, they felt themselves constantly embarrassed by not finding a map of Scotland that contained with any accuracy the divisions of the shires. Owing to an ancient but absurd policy such boundaries are more embarrassed in North-Britain

(*s*) Rom. Antiq., 106, 136.

(*t*) Ib., 155, 6, 7. David Watson died at London, the 7th November, 1761, a major-general and colonel of the 38th regiment.

(*u*) In 1747, when those surveys began, William Roy left the post-office at Edinburgh, when he was about the age of one and twenty. He now acted for some time as clerk to Lieutenant-Colonel Watson, who, from the recommendation of M. Gen. Napier to the Duke of Cumberland, was employed as superintendent of the whole survey. Roy, after a while, joined the surveying engineers, under the patronage of Colonel Watson; and, from his predetermination of mind and habitual application, he became an excellent surveyor and an admirable draughtsman. He never was admitted into the Royal Academy at Woolwich as a gentleman cadet, nor was he ever of the drawing-room in the Tower; but he was probably adopted as *a practitioner* on the new establishment of the engineer department, dated the 11th April, 1748. In March, 1759, he was merely a sub-engineer, with the rank of lieutenant. He remarkably distinguished himself at the battle of Thornhausen, on the 1st of August, 1759. The praise of Prince Ferdinand, the illustrious commander of the allied army, supported the efforts of Roy throughout his whole service. He soon became captain of engineers and major. He was made deputy quarter-master in 1762, with the rank of lieutenant-colonel in the army. The peace of Paris immediately ensued, when Colonel Roy returned to his *Roman Antiquities*. In 1764, 1769, and in 1771, he appears to have employed much time in those interesting pursuits. In 1774 he constructed, with the help of those surveys, his "Mappa "Britanniæ septentrionalis Faciei Romanæ," which was drawn by Thomas Chamberlain, the skilful draughtsman of the Tower drawing-room. In 1778 Colonel Roy was appointed commissary general of the whole army, and in 1786, when major-general, he was promoted to the command of the 30th regiment. He died, after two hours' illness, on the 1st of July, 1790, leaving his great work on the Roman Antiquities of Great Britain to the Antiquary Society of London, who published his ingenious labours with more splendour than accuracy. The rule which he formed for measuring heights with barometers, his measurement of the base of a triangle on Hounslow-heath, for which he obtained from the Royal Society the Copley medal, his trigonometrical experiments for determining the true positions of the observatories at Greenwich and at Paris, which are all recorded in the philosophical transactions of the Royal Society, evince his skill in all the parts of geometry that are connected with his profession. His Roman Antiquities show how little he was acquainted with the Roman localities of North-Britain, but in his antiquarian speculations his sagacity was constantly over-ruled by his system.

than in any other country. Of old, the great landowners might have their property, wherever it might lie, declared to be within any country however distant. The commissioners in executing so noble a trust were not to be impeded by such difficulties. They soon discovered that the engineer's map, before mentioned, had been deposited in the royal library; and they readily obtained his majesty's gracious permission to copy that geographical picture of a rugged country. They found in Arrowsmith a geographer of high reputation for skill, activity, and disinterestedness; for that sort of activity which is never at rest while any new notice is to be found, and that kind of disinterestedness which disregards the expense of obliteration. Such a geographer soon saw that even the engineer's map, though on a scale of 3,000 feet to an inch, did not comprehend the Hebrides, did not abound in geographical positions, and was even deficient in the limits of shires as they had never been settled. The influence of the commissioners was again exerted. Several proprietors of the western islands communicated their private surveys; various scientific persons were by them induced to adjust, by astronomical observations, new positions (*u*); and the intelligent rector of the academy of Inverness (*x*) was also induced to investigate the entangled boundaries of the five northern shires. The surveys of the western coast and the isles of North-Britain by Mackenzie and Huddart; the survey of its northern extremity by Bryce; the survey of the east coast by Downie; and above all, the skilful observations of Doctor Mackay at Aberdeen which rectified the position of the south-eastern coast of Aberdeenshire, were all of the greatest use to such a geographer as Arrowsmith (*y*).* In this manner, then, was given to the public after two years

(*u*) Mr. Professor Playtair of Edinburgh, and Mr. Jackson of Ayr. (*x*) Mr. Nimmo.

(*y*) The whole coast of Aberdeenshire, from the town to Peterhead, had been placed too much to the southward, $4\frac{1}{2}$ English miles, and too much to the westward nearly 8 English miles. Doctor Mackay's observations corrected the longitude of Aberdeen 13′ 30″, which correction brought out the whole coast almost eight miles, and the latitude 4′, or more than $4'\frac{1}{2}$ English miles, which had been placed too far to the south. The observatory at Aberdeen, with excellent instruments, was erected in 1781 by the scientific zeal of the principal and masters of the Marischal College. Doctor Mackay communicated to the Royal Society of Edinburgh his observations for settling the position of that observatory on the 20th June, 1796. Hist. of the Edin. Royal Society, iv. 28-30, and p, 136 of the same volume. Yet such is the indifference of mankind to the most useful discoveries, that several maps and nautical books preserve the old errors as to the latitude and longitude of Aberdeen. Meantime Doctor Lind made many observations in the observatory at Hawkhill near Edinburgh, the Reverend Alexander Bryce made astronomical observations at Kirknewton, the same scientific practice was established in the observatory at Glasgow, and other astronomers in Scotland were active in the same period to enlarge the views of science. Meanwhile was published by Faden, in 1807, a two-sheet map of Scotland much improved.

* The recent trigonometrical survey of Scotland issued by the Ordnance Department has completely superseded all of the maps named above, save as regards matters of purely antiquarian interest. The ordnance maps are issued in sections, on scales of 25 inches, 6 inches, and 1 inch to the statute mile. —Ed.

inquiries and elaborations, such a map of North-Britain whereof a nation may boast for its science and utility. Of the making of those roads to which this map is subservient, cannot be said what Addison observed of the Roman labours: "The grandeur of the *commonwealth* shows itself chiefly in works "that were necessary or convenient. On the contrary, the magnificence of "Rome *under the emperors* was rather for ostentation than any real use-"fulness."

In the meantime a *Statistical Account* of Scotland which was attempted unsuccessfully, as we have seen, in the seventeenth century, was actually accomplished at the end of the eighteenth. The project of obtaining from more than nine hundred persons a particular statement of the localities of every parish in a whole kingdom was adopted by Sir John Sinclair, and carried into effect by the persevering exertions of the worthy baronet in the seven years which ended in 1798. The co-operation of the church and the concurrence of the clergy of Scotland in this national work, merit great commendation. As a whole this Statistical Account has many inequalities. Yet it contains ten thousand local facts which are of the greatest use in cultivating the antiquities, the annals, and chorography of North-Britain. Such then are the notices which were intended to introduce the more curious reader to the following accounts of the several shires of Scotland, beginning with the most southern and ending with the most northern in a correlative sequence.

[See also Appendix to Vol. III. for Statistical Tables giving more recent information on the topics touched on in the foregoing pages].

CHAP. II.

Of Roxburghshire.

§ 1. *Of its Name.*] THE appellation of this shire is obviously derived from the designation of the town, which, as it owed its existence to the *burgh* upon a rocky peninsula, also owed to it the name of Rox-burgh. The ancient castle of Roxburgh stood high on an oblong protuberance of solid rock upon the neck of a peninsula which was formed by the near approach of the Teviot and the Tweed. Within the isthmus on which the castle stood, the end of the peninsula expands to nearly the breadth of half a mile, by a curve of the Teviot and an opposite bend of the Tweed, before they unite their kindred waters. On this commodious site in predatory times stood the town of Roxburgh, which was protected by the two rivers on the east, south, and north, and by the castle on the west. The most ancient name of this remarkable site which occurs in record is *Rokesburg* (*a*). Froissart calls it *Roseburg*, Buchanan *Rosburgum*, and Camden *Rosburgh*. But these are probably vulgar names which were adopted by popular writers without much inquiry. "More eastward," saith Camden, "where Tweed and Teifie join, Rosburg sheweth itself, called also Roxburg, and in *old time Marchidun*, because it was a town in the *marches* (*b*); where stands a castle, that for natural situation and towered fortifications, was in past times exceeding strong." But his intimation is not warranted by the fact: it was not a town in the marches. If by *old time*, Camden meant the British period, Marchidun, in the British speech, would signify the towering fortress (*c*); and this name would be very descriptive of the position of Roxburgh, if we suppose what is not improbable, that there was some fortress of the Gadeni upon this lofty knoll when the Romans entered their diversified country. Fordun, indeed, calls Roxburgh *Marche-*

(*a*) In Earl David's charter to Selkirk, the name is *Rokes*burg; and *Rokes*burc in other charters. Nicholson's Hist. Lib., 363, and Smith's Bede, 764. The late lamented Duke of Roxburgh wrote his name as his fathers had done before him, Roxburghe, and was even solicitous to retain the final e as a part of his inheritance. The worthy Duke might have defended his practice by the authority of Somner, in art. *burg, burge*, arx, castrum, urbs, civitas.

(*b*) Holland's Camden, Scotia, 10.

(*c*) Owen's Dict. under *march* and *din*.

mond, and Boece and Bellenden, *Marchmond*. This appellation plainly means the mount on the marches. But as Fordun was aware that *dun* signified a hill, he may have merely translated the old name of March*dun* into March*mont*. There is reason to suppose that the modern name of Rokesburgh, signifying the strength upon the *rock*, is not older than the Norman times (*d*). The shire is popularly called *Teviotdale*, because the vale of Teviot constitutes at least three-fourths of the whole county (*e*).

§ II. *Of its Situation and Extent.*] Roxburghshire, as the most southern county of North-Britain, has Northumberland on the east, Northumberland and part of Cumberland on the south, Dumfriesshire on the south-west, Selkirkshire on the west, and Berwickshire, with a small portion of Edinburghshire, on the north (*f*). The county of Roxburgh extends from south-west to north-east 38 [42] miles; and from south-east to north-west 27 (*g*). The breadth, indeed, about the middle of it is carried out to a larger extent by a projection of the shire northward of the Tweed, between the streams of the Gala and the Leader. This county contains a superficies of 696 [669] square miles, or 445,440 [428,493] statute acres. The population of this shire in 1801, being 33,682 [33,721] allows exactly 48·39 persons to a square mile. This county is divided by its waters into several districts. Teviotdale, which forms the great body of its ample extent, comprehends the district which is drained by the Teviot and its subservient streams; and Teviotdale comprehends 521 square miles, or 333,440 statute acres. Liddesdale which forms the south-west corner of Roxburghshire on the borders of Northumberland and of Cumberland, comprehends the Alpine country which is drained by the Liddel, the Hermitage, and other streams which all send their kindred

(*d*) *Rock*, meaning a stoney protuberance, is not in the Teutonic speech. In this sense the word is old French, from the Celtic tongue, as we may learn from Bullet and Menage. The Records in Rymer about 1400 call the castle *Roke*-burg.

(*e*) Agricultural Survey, by the Rev. Dr. Douglas.

(*f*) Roxburghshire lies between 55° 6′ 40″ and 55° 42′ 52″ N. lat., and between 2° 11″ and 3° 7′ 50″ W. longitude from Greenwich. Old Roxburgh castle, which gave its name to the shire, stood in 55° 36′ 35″ N. lat., and 2° 29′ 15″ W. long. Jedburgh, the county town, stands in 55° 29′ 40″ N. lat., and in 2° 35′ 30″ W. long. Kelso, the largest town in this shire, is in 55° 36′ 48″ N. lat., and in 2° 28′ 20″ W. longitude. These positions were taken from Arrowsmith's late and most accurate map of Scotland. In Blaeu's *Atlas Scotiæ* may be seen Pont's sketches of Teviotdale No. 4, Lauderdale No. 6, and Lidsdale No. 9. There is a good modern map of Roxburghshire, in four sheets, on a scale of one inch to a mile, by Matthew Stobie, land surveyor in Edinburgh, at the expense of the gentlemen of the county.

(*g*) Id.

waters to the Solway frith. The superficies of Liddesdale contains 120 square miles, or 76,800 statute acres. The third division of Roxburghshire is that projection which extends northward of the Tweed between the Gala and the Leader; and this northern district contains 28 square miles, or 17,920 statute acres. The fourth or lower division of this shire is that portion of it which, lying northward of the Tweed, is included in the *Merse;* and which comprehends a superficies of 27 square miles, or 17,280 statute acres (*h*).

§ III. *Of its natural Objects.*] The southern parts of Roxburghshire are very mountainous. A remarkable range of hills runs quite across the country from east to west, beginning with Whitelaw and Chillhill, on the northern declivity of the Cheviot mountains, and ending with Craikmuir [1481] on the source of Borthwick water, and even proceeding westward into Ayrshire (*i*). From those remarkable hills flow many streams into Teviotdale on the north, and into Northumberland, Liddesdale, Ewesdale. and Eskdale on the south. Liddesdale is an Alpine region, which is, however, dry; and affords excellent pasturage. Several of its hills are conspicuous objects from afar (*k*). The interior of Teviotdale abounds more with fertile valleys than with great heights. Yet has it several hills in various places of its ample range which attract notice, either from their natural appearances or incite curiosity by their memorable antiquities. Hounam-law [1464 ft.] emulates the Cheviot heights, and is the parent of the Kail and Bowmont waters (*l*).

(*h*) The subjoined recapitulation will show the comparative size of each of those divisions:

	Sq. Miles.	Stat. Acres.
Teviotdale,	521	333,440
Liddesdale,	120	76,800
The Gala and Leader,	28	17,920
The portion of the Merse,	27	17,280
The total of the shire,	696	445,440

These proportions were ascertained, by minute measurements and calculations, from Arrowsmith's map of Scotland, and which were made by dividing the surface into a series of triangles, and by calculating each triangle separately. This intimation is given, because other computations have been made mistakingly.

(*i*) The Cheviot mountain, on the eastern extremity of this range, rears its conical top above the level of the sea 2,682 feet | Tudhope hill 1,830 [1961] feet
Chillhill rises 2,000 | Wisp hill 1,820 [1951]
Winburgh hill 2,000 [1662] | Carter fell 1,602 [1899]

(*k*) Millenwood-fell is about 2,000 feet above the sea-level. Tinnis hill is a land-mark to sailors. Stobie's map of this shire; Stat. Account, xvi., p. 62-3.

(*l*) Stat. Account, i., 52.

Dunian hill rears its conical summit 1,031 feet above the sea-level. Ruberslaw rises to the height of 1,419 [1392] feet above the same plain. Bonchester hill, though not so high, deserves more notice, on account of the British strength on its summit, from which it derived its name. *Burgh* hill, in Cavers parish, though not remarkable for its height, merits notice from its ancient fort which defended its crest and gave it an appellation. In the same parish *Pen*-crest-*pen* and Shelfhill*pen* and in Crailing parish *Pen*ielheugh, are memorable, for preserving through successions of people their British names. On the north of the Teviot the eminences which attract the greatest observation are the *Minto-craigs*, which rise to the height of 858 [700] feet above the sea-level; and which, as they are formed of rocks and are interspersed with planting, are picturesque objects, and are real ornaments to Teviot's vale (*l*). In the northern part of Teviotdale the only eminences which merit particular notice are the Eildon hills, which are distinguished in that somewhat level region by their singular appearance and by the British and Roman strengths, that were formed on their acclivities (*m*). In that division of Roxburghshire which projects northward of the Tweed, the only hill which rises to a great height is Williamlaw [1315], on the Gala water, and it commands an extensive prospect, and has on its summit a collection of stones that are called *Bells Cairn* (*n*). The hills of this county are happily both ornamental and useful. They add much to the superficies of the shire, while they contribute much to its landscape, and still more to its pasturage, and very few of them are bleak, and scarcely any of them are rugged (*o*). Crawford, in his elegant lyric poem of "the Cowden-"*knowes*," is studious to mark, with fond recollection, "Teviot braes, so green,

(*l*) Ainslie's map; Stat. Account, xix., 571.

(*m*) They rise in three summits to the height of 1,330 [1385, 1327, 1216] feet above the sea. Ainslie's map of Scotland. They are covered, in some parts of them, with a kind of red stone, without a blade of grass, and these circumstances gave them a striking appearance from afar. Stat. Acc., xvi., 231. There is a fine delineation of the Eildon hills in Roy's Rom. Antiq., pl. xxi. He mistakingly supposed them to form the site of the *Trimontium* of the Itinerary.

(*n*) Stobie's map, and Milne's Melrose, 65. In this district, about four miles northward of the Tweed, there is a remarkable object called the *Blue Cairn*, from the colour of the stones. A large space, which is sufficient to contain many persons, is completely inclosed, and may be said to be fortified by a natural rampart of stones. Milne's Melrose, 67-8.

(*o*) Some of the sloping hills of less eminence are highly cultivated, such as Ednam hill and Henderside hill, on the north side of the Tweed. Stat. Account, ii., 304; Agricult. Survey, 7; and the Statistical Accounts of this shire; wherein we find that its hills are generally dry, fertile and green.

"and gay (*o*)." Gilpin is more picturesque. The downy sides, says he, of all those valleys of the Teviot are covered with sheep, which often appear to hang upon immense green walls. So steep is the descent in some parts that the eye, from the bottom, scarce distinguishes the slope from the perpendicular. Several of those mountainous slopes (for some of them are very lofty) are finely tinted with mosses of different hues which give them a very rich surface (*p*).

In writing of the waters of Roxburghshire we treat of objects which are, indeed, sacred to song. The lakes of this shire are very few and very small (*q*). Yet it is well watered by a variety of streams which are at once ornamental and advantageous. The Tweed's "fair flood" enters this shire at the influx of the Ettrick, and winding through this variegated country for a course of thirty miles it leaves Roxburghshire at the confluence of the Carham burn, having received in its "gently-gliding flow" the Gala, the Allan, the Teviot, and the Eden (*r*). The Teviot rises in the Fan-hill, one of the eminences which separate Roxburghshire from Dumfriesshire, and being swelled by several subservient streams it meanders through its own *dale* for almost forty miles when it falls into the Tweed (*s*). Besides the rivulets which rush down from their springs in their several mounts and join the Teviot near its sources, this ample river receives the Borthwick and the *Ale* from the heights on its northern side, and the Allan, the Slitrig, the Rule, the Jed, the Oxnam, and the Kale, with their tributary streamlets all springing from the kindred hills of the Cheviot range. The Teviot thus forms the common drain of many hills on both sides of its rather level dale which it fertilizes by laying it also dry. The *Teviot* obtained its British name, like its kindred *Teivie* in Wales, from its quality of flooding

(*o*) Ritson's Scottish Songs.

(*p*) Pict. Tour, i. 48.

(*q*) Primside loch, in Morebattle parish, is not more than a mile [$1\frac{1}{2}$] in circumference. In Ashkirk parish, there are two lochs of still less size. In Galashiels parish, there are also two lochs of the same diminutive size. Whitemoor loch is only about three quarters of a mile in circumference. In Linton parish, there are two lochs of still smaller dimensions. They all contain pike, perch, and eels, and other fish. Stobie's map of Roxburghshire, and the Stat. Accounts.

(*r*) The Scottish lyrists have delighted to speak in encomiastic strains of the Tweed. It was Thomson's "parent stream, whose pastoral banks first heard his Doric reed." It is questioned by Ritson, whether any English writer has produced so beautiful a pastoral as Crawford's *Tweedside*. Hamilton of Bangour also celebrates "the flow'r-blushing bank of the Tweed." "Bonny Tweedside" is the frequent topic of Ramsay's muse.

(*s*) Crawford, in his song of "Cowdenknowes," invokes "the powers that haunt the woods and "plains, where Tweed with Teviot flows."

its fertile haughs (*t*). The Ale rises from Ale-moor in Selkirkshire, and coursing through Roxburghshire for twenty miles it mingles with the Teviot below Ancrum (*u*). The Borthwick water, which derived its modern name from a place on its borders, rises in Craikmuir on the south-east extremity of Selkirkshire, and flowing through a pastoral country closes its course of thirteen miles by mingling with the Teviot below "the braes of Branx*holm*." The Kale rises from the northern declivity of the same Cheviot mountains which send the Northumbrian Cocquet to the southward, and quitting the hilly regions the Kale meanders through a spacious plain till it mixes with the Teviot below Eckford-mill after a course of eighteen miles through many clumps of full grown trees. The Kale derived its ancient name from the woody coverts which embellished its banks; *Cell* and *Celli* in the British signifying a grove, and *Coille* in the Gaelic a wood. Oxnam water also descends from those border mountains, and passing Oxnam, whence it borrowed its recent name, it pursues its winding course of twelve miles till it mingles its congenerous waters below Crailing with the Teviot, the common receptacle of a million of rills. The "silvan Jed" rises from several sources in the declivity of the Carter-fell, one of the border hills, which also send from their southern declivity through Northumberland, the North-Tyne, and the Reed; and rushing through a rocky channel and woody vales the Jed winds round the Shire town, to which it gave its well-known name of Jedworth, which corruption has converted into Jedburgh, and after a rapid course of almost twenty-one miles it pours its dusky waters into the Teviot below Bonjedworth (*x*). The Rule rises from three sources, in the northern declivities of Winburgh-hill, Fanna-hill, and Needlaw, the same range that sends the Liddel southward to the Solway. The Rule rolls its rapid waters between well-wooded banks, and after a meandering course of twelve miles it mingles its congenerous stream

(*t*) Ramsay, in praising "the bonny lass of Branksome," sings, "As I came in by Teviotside, and "by the braes of Branksome." Branks*holm* is a hamlet on the Teviot, in Hawick parish.

(*u*) The *Ale*, which was formerly called the *Alne*, obtained its name from the British *Al*, a fluid water. This elementary word enters into the names of many waters, both in South and North-Britain. The *Alna* is mentioned in a charter of David I., in 1128. It is of a dark colour; it is in some parts of its course precipitous, running over a free-stone bottom; and there is a cave in the rock as large as a common sitting-room, having in it a copious spring of pure water.

(*x*) The *Jed*, which was anciently written *Ged*, and *Gedde*, may have derived its singular name from the Celtic *Gaid*, the plural of *Gad*, and signifying withes, or twigs; and the researches of Bullet have discovered an old Celtic word *Ged*, for a *wood*. In Hertfordshire, there is a river named *Gade*, and in Aberdeenshire a *Gadie*.

with the Teviot below Spittal. The Rule is merely the British *Rhull* which means what moves briskly, what breaks out; a meaning this that is very descriptive of this mountain torrent (*y*). This water may vie with the sylvan Jed in the variety and value of its woods, but not in its picturesque scenery. The *Slitrig*, rising from several springs in the Leap-hill, the Maiden-paps, and Great-moor-hill, flows through hollow vales and green hills, during a rapid course of ten miles, till it falls into the Teviot below Hawick, driving many mills for that industrious town (*z*). Allan water issues from two springs in the northern declivity of the same ridge, which sends the Hermitage water to the south; and after a short course through wealthy sheep-walks, pours its fair stream into the congenerous Teviot at Newmill. There is another *Allan* in the northern part of this shire, which mixes its waters with the Tweed above Melrose. This stream is called *Alwent*, in a charter of William the Lion to the monks of Melrose, and this term is merely the British form of the name Al-wen. The Bowmont which may have derived its modern name from its remarkable curvature round some of the mounts of Cheviot, drains the parishes of Morebattle and Yetholm, and joins its rapid waters with the Northumbrian Till (*a*). Such are the streams which drain the several districts of Teviotdale, and contribute to the elegance of its landscape as well as to the fertility of its plains. Liddesdale is emptied of its waters, by the Liddel, the Hermitage, and other currents which pour from the circumjacent heights. The Liddel was "unknown in song, though there be not a *purer stream*," till Armstrong "first drew air on its Arcadian banks." It rises near the sources of the Tyne from the southern declivities of Fanna-hill, Note of the Gate, and Needslaw, the same border mountains which send the Rule and the Jed from their northern declivities into Teviotdale. The Liddel rolls its rapid maze over a stony channel towards the western main. Liddesdale, the modern name of this district, is a corruption of the pleonastic name of Liddelsdale. The ancient name of this "crystal stream," which it derived from the British people, was the *Lid*, which denotes its natural qualities. It bore this name, without the affix *dal*, when Drummond wrote his "Forth-feasting" to celebrate King

(*y*) Owen's Dict.

(*z*) Slitrig is not the original name of the water, nor is it the appellation of any place near its banks; but it is a Scoto-Saxon name [Slit-rig], which has been imposed from local circumstances that cannot now be traced. In Pont's map, indeed, it is called *Slit-ricke*.

(*a*) In several charters of the 13th century, this stream is called the *Bol-bent*, which more recent corruption has converted into *Bowmont*.

James's return in 1616; wherein he sings of "*Lid with curl'd streams* (*b*)". The Hermitage which borrows its modern name from Hermitage castle, that stands on its woody banks, joins the Liddel at Westburnflat. The united stream now tumbles through a more extended valley, till it quits Roxburghshire at the influx of the Mareburn, after a rapid course of twenty miles. The Kershope, the Tweeden, the Tinnis, the Blackburn, and some smaller streams all contribute to drain the pastoral district of Liddesdale; and all flow into the Lid. Of these mountain torrents, the Kershope is only famed for being a long contested boundary of England and Scotland, throughout its whole course of eight miles. The Tweeden is only remarkable for its water falls. But it is the Blackburn which exhibits cataracts of the greatest variety and grandeur; one of those falls being thirty-eight feet of perpendicular height, and twenty feet wide. The romantic vale of the Blackburn shows nature in her most diversified forms; sometimes beautiful, often awful, frequently sublime, and not unfrequently terrible. Yet, the greatest curiosity of the Blackburn is a natural bridge, which as it stretches across the stream five and fifty feet, joins the opposite hills together (*c*). Of the two divisions of Roxburghshire, which run out on the northern side of the Tweed the upper district is watered by the Allan, in the centre; and by the Gala and Leader on either side. The Allan takes its rise on the north extremity of this shire, near the farm of *Allan* Shaws; and running in a course of eight miles through a pastoral country, which was once a forest, pours its clear waters into the congenial Tweed. The name of this stream, like the other Allans, is derived from the British *Al-wen*, from the brightness of its waters (*d*). The Gala after leaving the southern limits of Edinburghshire runs a somewhat winding course for six miles, between the northern division of Roxburghshire on the east, and Selkirkshire on the west. The waters of the Gala were stained with the blood of ravenous monks, who fought of old for its luxuriant pasturages. The Leader which falls down from

(*b*) The British word *Llid* denotes rapidity, gushing out. Davis and Owen Dict. in vo. The Anglo-Saxon *dal*, to denominate the valley, was affixed to the original name, as in Tweed-dal, which has sometimes, like Lid-dal, been applied to the river instead of the valley, particularly by the writer of "Peeblis to the Play," wherein he speaks of "Tweedell-syd."

(*c*) Stat. Acco., 16, 79. The small streams of Dinlabyre, Harden, and Sundhope, have also some beautiful water-falls. Ib., 78.

(*d*) The British Al-wen is very nearly retained in the vulgar pronunciation, which is Alwen or Elwan, as in Elwanfoot on the Clyde, and the British Al-wen is merely the Gaelic *Alain*. The Allan water is celebrated in Scottish song, though it is not easy to tell which of the Allans the songster meant to immortalize by his praise. Burns, indeed, points to the Allan of Perthshire.

the western end of the Lammermoor, and which Camden calls the *riveret Lauder*, flows through Lauderdale for six miles, when it falls into the Tweed below Drygrange, "with the milk-white ewes, 'twixt Tweed and Leader, standing." The *Leader-haughs* are greatly celebrated in Scottish lyrics; and were, indeed, famous in feudal times, for breeding the stateliest steeds. The Leader-haughs also were once dignified by the residence at Ercildoun, of Thomas the Rymer, the earliest of the Scottish poets. The lower division of northern Roxburghshire is also watered by the Eden, which flows gently along through the Merse for nine miles, when it enters the Tweed. Near Newtondon, the Eden, tumbling over a rock from the height of forty feet, forms a cataract of very diversified beauties, both agreeable and splendid. This, like the Eden in Cumberland, and the Eden in Fife, derives its descriptive name from the British *Eddain*, denoting the quality which they all possess of a *gliding* stream. The Roxburgh Eden was recollected by Burns, when addressing the shade of Thomson: "While virgin spring, by *Eden's flood*, unfolds her tender mantle "green." Such are the waters of Roxburghshire, which has been penuriously supplied with lakes; yet abounds with streams of every quality and every size, that are dignified by the British names which denote their qualities, and have become of classical importance, from their frequent celebration by the Scottish lyrists.

For so mountainous a district, Roxburghshire enjoys few minerals. It is almost destitute of pit-coal. Liddesdale has coals of a good quality, both at Lawston and on the Tweeden (*e*). In Teviotdale, the only coal which has been discovered is a thin stratum of a coarse kind, in Southdean, and some seams of little consequence in Bedrule (*f*). Roxburghshire is chiefly indebted to the neighbouring countries of Northumberland and Mid-Lothian for the coal which it uses for fuel, and the south-west parts of this county receive some supplies of coal from Dumfriesshire (*g*). Limestone exists abundantly in various districts of this shire, but it is not generally manufactured, from the scarcity of proper fuel. New quarries of limestone are however discovered, and additional manufactories of it are established, in proportion to the demand for so valuable an object of daily life (*h*). Marl of every kind is found in various

(*e*) Agric. Survey, 196.

(*f*) Stat. Acco., 15, 564. The coal of Bedrule was found after a persevering search of great expense. In the neighbouring parish of Oxnam and the adjacent country, every attempt to find coal has failed. Ib. 11, 319.

(*g*) Agricult. Survey, 196.

(*h*) Agricult. Survey, 139-40; Agricult. View, 47. In Sprouston parish a considerable manu-

parts of this shire, is much used in its agriculture, and has contributed greatly to its fertility (*i*). Yet has marl been more anciently known as an useful mineral, and longer used as a manure, than those recent writers seem to think (*k*). Freestone every where abounds in this shire, except in the north-west and the south-eastern districts. Liddesdale has freestone of an excellent quality every where, except near the source of Hermitage water, where there is only blue whinstone. From Liddesdale, the freestone veins run north and north-east throughout the whole extent of Teviotdale, to Sprouston, where it is of a superior quality (*l*). The hills on the south of Teviotdale are chiefly composed of whinstone, which are generally of the sort that contains numerous nodules, and veins of agate, jasper, and Scottish pebbles; and these are often found intermixed with the soil, and discovered in beds of rivers. Hardly a mole-hill is cast up, in the neighbourhood of the Cheviot mountains, which does not contain some of those pebbles, that are mostly of an amber colour, with bluish veins, and streaks of deep red (*m*). At Roberts Linn, in Hobkirk parish there are large rocks which are full of those pebbles, that are manufactured into seals, and formed into buttons of various kinds. These pebbles are sent to Sheffield and Birmingham, for the purposes of diversified manufacture (*n*). Iron stones are mixed with the soil in several parts of this shire (*o*). The red clay soil

facture of lime has recently commenced. Stat. Acco., 21, 30. In Oxnam parish a bed of limestone has been discovered, but not yet manufactured. Ib. 11, 319. There is limestone in Bedrule, which is not yet worked. Ib., 15, 557. In Southdean there is an inexhaustible quarry of lime, whereof some is calcined by the coarse coal in its vicinity. In Hobkirk parish, near Winburg mountain, there are several quarries of limestone, and three kilns are employed in calcining it. Ib. 3, 312. In Liddesdale there is much limestone, and a draw-kiln has been lately erected at Hermitage. Ib., 16, 77.

(*i*) Agric. Survey. 135. Stat. Acco., 16, 233. Ib., 10, 293. Ib. 17, 174. Ib., 8, 522. Ib., 19, 573. Ib., 15, 557. Ib., 8, 25. Ib., 11, 304. Agricult. View, 48.

(*k*) Near Westermoss there is a hamlet called *Marlefield.* Stobie's Map of Roxburghshire. In 1721, Marlefield was the residence of Sir William Bennet, the friend of Allan Ramsay, who wrote in the house of Marlefield, a poetical address to Æolus, on the boisterous night of a high wind, though the muse seems not to have been much elevated by the uproar.

(*l*) Agricult. Survey, 11; and the Statistical Accounts. In Southdean parish there is an excellent quarry of hard white stone, which is much used for chimneys, as it stands the greatest heat, and lasts for many years. Ib., 12, 70.

(*m*) Agric. Survey, 10-11; Agric. View, 8.

(*n*) Stat. Acco., 3, 312. Most of those rocks are of a light blue colour, while some of them are variegated with streaks of red and yellow.

(*o*) Agricult. Survey, 10.

of the northern district of Teviotdale contains a proportion of iron, from two to six per cent. (*p*).

There are petrifying springs in various parts of this shire. In Roxburgh parish, on the banks of the Tweed, there are two petrifying springs; one whereof is so strong as to crust a bit of moss, or any capillary substance, in three months, so as to render it as hard as ice in half a year. The large petrifaction which it has formed at its issue, exhibits the appearance of a solid rock (*q*). There are also, in Roxburghshire, several chalybeate and sulphurine springs, which however, are not very remarkable for their medical powers (*r*). In Liddesdale, there are several springs which are strongly impregnated with sulphur. In a morass, called Deadwater, there is a sulphureous spring, which is much frequented by persons who are afflicted with cutaneous and scrofulous complaints, and who receive great benefit by drinking the water and by using it as a warm bath. It only wants proper accommodations to make Deadwater a place of more resort (*s*). There are several *consecrated* wells in the neighbourhood of Melrose; as St. Helens, St. Roberts, St. Dunstans, and the mineral springs of Eildon, and Dunstan's-wells, have long been used by the country people as a sovereign remedy for the colic (*t*).

§ IV. *Of its Antiquities.*] Under this head, the first objects of antiquarian research are the people and their language; because notices, with regard to

(*p*) View of Agricult., 10.

(*q*) Stat. Acco., 19, 132. There are also some petrifying springs in Minto parish. Ib., 578. In Liddesdale there are several petrifying springs. One of these on the Tweeden is very powerful, and emits so large a quantity of water that considerable masses of petrified matter appear on every side. as if it were converted into solid stone. The progress of the petrifaction is distinct and beautiful. The fog which grows on the edge of the spring, and is sprinkled with the water, is eight inches high. while the lower part is converted into solid stone, the middle appears as if it were half frozen, and the top is green and flourishing. The petrified matter when burnt resolves into lime. The spring, when used to irrigate the fields, fertilizes them extremely. Ib., 16, 78.

(*r*) Near Jedburgh there are two chalybeate springs, one whereof, called Tidhope well, has been used with success in scorbutic and rheumatic disorders. Stat. Acc., 1, 4. In Oxnam parish there is a chalybeate spring of similar qualities to that at Gillisland, yet is it not much used. Ib., 11, 319. Near Crailing Manse there is a mineral spring which is in much repute among the common people as a cure for the colic. Ib., 2, 328. On the banks of the Tweed, within the minister's glebe of Lessudden, there are several springs of water, one of which is of a chalybeate quality. It has been long used with success in scorbutic complaints. Ib., 10, 208.

(*s*) Ib., 16, 77-8. In a swamp, on the farm of Dinlabyre, there is another spring of the same kind. There is also another of an excellent quality on the farm of Shortbut-trees. At Lawston, there is a very strong mineral spring, but as the water has not been analyzed, it is not certain to what class it belongs. Id.

(*t*) Milne's Melrose, 45.

both, support the history of each other. At the epoch of Christ, the western, and the greater part of Roxburghshire, were inhabited by the Gadeni, while the eastern and lesser districts were occupied by the Ottadini (*u*). The language of those tribes, who were the descendants of the pristine people, may still be traced in the topography of their countries. The names of rivers and of mountains remain the longest unchanged amidst the revolutions of the world. We have already seen that the rivers and streams have generally retained their British names, notwithstanding the conquests of the Romans, and the intrusion of the Saxons, the ascendency of the Scoto-Irish, and the prevalence of the English (*x*). The ancient names, from the British speech, may also be traced in the names of several hills, however they may be disguised by ignorance and perverted by vulgarity (*y*). *Peel*, which is so frequently applied to border strengths, in every district of this shire, is obviously derived from the British Pîl, which denotes a moated fort, and was adopted, in this sense, by the Scoto-Saxon people of North-Britain. The British *Caer*, signifying a fortress, also appears in several names, as *Car*-bie in Liddesdale, where there are the remains of a British hill-fort. *Caer* has in many instances been changed to *Ker* by vulgar use, and from this corruption of the Cambro-British word were derived the local surnames of *Ker*, *Karr*, and *Carr*, which still abound in this shire. The British *Cors*, signifying a marshy place, appears in some names of places, as in *Corsick*, and the *Cors* is retained in popular language under the form of *Carse*. Several other names of places in Roxburghshire retain their Cambro-British appellations, though they be much corrupted; such as the *Catrail*, *Kelso* for *Calchou*, Crailing for Traverlin, Cavers, Plenderleith, Frith, and others (*z*). *Melrose*, indeed, may be either a British or a Gaelic

(*u*) See before, v. i., ch. 2.

(*x*) The Tweed, the ancient Tued, the Tweeden, the Teviot, the Ale, the Jed, the Kale, the Rule, the Lid, the Allans, the Eden, and the Leader, were all named by the original people from their qualities; the etymology of their names are still discoverable in the dictionaries of the Cambro-British speech. To all these may be added *Lyn* or *Lin*, a pool, which is common to the British and Gaelic, and appears in several names, as Roberts-*lin*, *Lin*-hope, *Lin*-ton, &c., and it is even retained in the common language when applied to pools that are formed by waterfalls.

(*y*) Pen-*crest*-pen is the name of a height with a double pleonasm. Pen, in the ancient British, signifies a head or *crest*, and the affix *pen* is merely a reduplication of the first; Shelf-hill-*pen* is another name of a mountain with similar reduplications; *Pen*-iel-heugh is also a name of a similar kind, in which we see the British *pen* very conspicuous, notwithstanding the obscurities of many ages.

(*z*) See Davies and Owen's W. Dict., under the several words. The Tweed, the *Tued* of Richard, the *Tueda* of Buchanan, and the *Twede* of Camden is the *Tuedd* of the British, signifying the state of being in a side, the border of a country, the coast, a region. See Lluyd's Arch., 239; Davies and Owen.

word; as the terms which form it are common to both those congenerous tongues.

The genuine topography of North-Britain is undoubtedly the truest history of its ancient colonizations. We have already seen, in the names of mountains and waters, the real precedence of the British people. Amidst the obscurities of the Scottish period, we may yet see that the Scoto-Irish people made some settlements in this county, by the names which they imposed on several objects (*a*). The Saxon people settling here during the sixth, perhaps as early as the fifth century, while they retained many names of places, imposed, as we may easily suppose, many new appellations (*b*). There are several instances of Scoto-Saxon words being conjoined pleonastically with British and with Scoto-Irish; such as *Pen-crest*-pen, Shelf-*hill*-pen, *Down*-law, and so of others, which show the genius and practice of the Saxon settlers. It will readily be supposed that the great body of the names of places in this shire are Scoto-Saxon, in the modern forms, or in plain English. But we see no trace in this district of Scandinavian names; because Scandinavians never settled in Roxburghshire.

From the language, we may naturally turn to the funereal remains of the descendants of the first people. In Liddesdale there are many sepulchral cairns or tumuli. On the farm of Whisgills, and in the midst of an extensive moss, there is a cairn of an immense size, which is composed of stones that are mostly of great bulk, and must have been brought from afar, as there are none such in this vicinity (*c*). At Carlinrig, in Teviotdale, a number of sepulchral

(*a*) The most conspicuous of those names which the Scoto-Irish undoubtedly imposed here are *Dun*-ian *hill*, *Down*-law, El-*dun* hills, all from the Gaelic *Dun*, a hill; Alncrum, which is now *Ancrum*; Tinnis-hill; Both-eldun, which is now Bowden; *Inch*-bonnie, *Loch*-inches, *Knock*-knows, Lustruther, etc.

(*b*) There may be traced in Roxburghshire many names of places from old Saxon words, as Hleaw, or *Law*, which appears in 49 names to so many hills; *Leag*, or Lee, or Lea, in 32 names imposed on fields or pasturages; Hope, in 25 names imposed on little valleys in the recesses of the mountains or dingles; *Shiel* in 19 names imposed originally on temporary cottages, and afterwards to hamlets; *Shaw*, in 19 names of woods; *Holm*, in 17 names of meads, on the margin of waters; *Dean*, on many *vales*; *Rig*, *Dod*, *Ham*, Wic, one from *Threap*, one from *Botl*, one from *By*. But there is not here any name from *Thwait*, which appears near Dumfries.

(*c*) Stat. Ac., 16, 84-5. In a sepulchral cairn, on the farm of Cleughhead, there was found, when opened, an urn full of ashes and of burnt bones. There were also discovered in the same cairn, a number of stones for clearing corn from the husk. In some other cairns, which have been opened in this district, there have been found square chests of stone containing ashes. Id.

urns were dug up some years ago (*d*). They are said, indeed, to be Roman urns; but it is a too common error among the North-British antiquaries to regard every funereal urn as Roman, though they contain the more ancient remains of a prior people. The parish of Southdean exhibits many sepulchral tumuli. In some of these have been found stone cases containing human bones (*e*). In Minto parish have been discovered stone coffins containing similar remains (*f*). In the parish of Lilliesleaf, on enclosing the grounds of Bewlie, the workmen laid open an ancient burial place of a circular form, wherein were found a great number of human bones, which had been partly burnt. The same sort of remains has been found in other parts of this parish, and with them have been discovered military weapons, particularly spear heads with two edges (*g*). Such are some of the remains of the Gadeni people, or their British forefathers. In the Ottadini country, within Eckford parish, on the farm of Hospital-land, a tumulus was opened wherein were found two earthen pots, containing the fragments of human bones with their accompanying dust (*h*). There are sepulchral cairns in different parts of Kelso parish. One of these, on the estate of Wooden, is composed of a vast number of stones intermixed with moss, though neither the same kind of stones nor moss are now to be found in this parish (*i*). Near Ednam, there is a tumulus called *the Picksknow*, which disclosed, when opened, three stone coffins, one whereof enclosed an urn containing ashes (*k*). Such are the remains of the Ottadini,

(*d*) Stat. Acc., 17, 92. (*e*) Ib., 12, 70-1. (*f*) Ib., 19, 578. (*g*) Ib., 17, 179.

(*h*) Ib., 8, 33. One of those pots was three feet deep and eighteen inches wide, the other was somewhat smaller, and when they were exposed to the air they crumbled to dust. Id. In digging for stones on Woodenhill, there were found about two feet deep two or three earthen vessels containing pieces of human bones and dust. Id. On Caverton-edge there have been found in several places fragments of human bones with black dust, and at one of those places there was discovered a copper vessel, about six inches diameter, enclosing an excavated wooden ball. Near the village of Eckford, in a field called the Dales, there was found a stone chest containing bones of a large size. Id. Human bones and memorials of slaughter are found everywhere in Roxburghshire. Ib., 19, 138.

(*i*) Ib., 10, 583. On the same estate, several stone coffins have been discovered containing human bones. Id.

(*k*) Ib., 11, 307. On the farm of Comb-flat, in the same parish of Ednam, there are several barrows or eartheu tumuli, which are called *Comb-knows*. Id. The Scottish *know* is the English *knoll*, a little hill. Near Hawick, on the west, there is an earthen mount or barrow of a conical figure, which is popularly called *the mote*. This is supposed by some to have been a sepulchral tumulus, and by others a juridical seat. Stat. Acco., 8, 534. The fact seems to be that this

which tend to evince their practice of sepulture and to show the rude state of their arts.

Roxburghshire contains also many monuments which indicate the worship of its earliest inhabitants. In Liddesdale, upon high ground near Tinnis-hill, there is an oblong cairn eighty-six yards in length, consisting of freestone of a large size, great weight, and square form; and these stones must have been brought from a great distance, as none such are now to be found near this immense cairn. At the north end of it is a cromlech, consisting of several large stones which are set on edge and fixed in a quadrangular form, and which are covered on the top by a large broad stone in a sloping position. At the south end of this uncommon cairn there is a large stone set upright, seven feet above the surface of the moss and thirteen feet in circumference. This has been long called *the standing stone*, and for ages it has marked the northern boundary of Canobie or the debateable ground. Near to the standing stone there are five other stones of nearly an equal size with it, which are placed in the form of a circle, the diameter whereof is forty-five yards (*l*). This would be deemed a very extraordinary monument in Cornwall, the land of druidical art, and long the seat of druidical power. In the face of such monuments as Tinnis-hill exhibits, it is in vain to inquire if the druids ever existed here. The fact will always outface the Gothic and Romance authors, who only scribble about what they did not understand, and who only delude children who read what they do not comprehend. In Liddesdale, on the farm of Millburn, there is a druid circle, or *oratory*, which is composed of nine upright stones. The hill whereon this singular monument remains is called *Ninestone* Ridge, and here, says tradition, with gossip tongue, Lord Soulis was burnt (*m*). In Morebattle parish there are several druid circles which also consist of upright stones, and are generally situated on rising grounds. As these are near the borders of the two kingdoms, the sad scenes of former conflicts and unavailing treaties, these circles are popularly called the *Tryst stanes* (*n*). In Linton parish, the ancient land of the *Ottadini*, there is another druid circle which is composed of six upright stones, and is also called, by unconscious tradition, *the Tryst* (*o*).

barrow was a burial place of the first people, and, like other monuments of a similar nature, was converted afterwards to a *mote-hill*, for the administration of justice to a rude people before court-houses were commodiously built.

(*l*) Ib., 16, 85. (*m*) Ib., 16, 84. (*n*) Ib., 16, 572.

(*o*) Ib., 3, 123. Tryst in the old language of Scotland means a place of meeting, and more recently a cattle-market, where sellers and buyers *meet*.

The whole extent of Roxburghshire, as it was by nature strong, from its *heights* and recesses, appears to have been in the earliest times, the bloody scene of many conflicts. The fathers of the Ottadini and Gadeni seem to have secured many hills by artificial helps. The great peninsula which is formed by the Teviot and the Tweed, was once full of military works as we know from instructive remains. The Eildon hills, from their commodious situation, were finely formed by nature for British strengths. The most northerly of them, which is also the largest, rises to the height of 1330 [1385] feet above the level of the sea, and ends in a spacious summit that was fortified by two fosses and ramparts of earth, enclosing a circumference of more than a mile (*p*). This great fort of the Gadeni was the commodious centre of other British forts on the summits of the smaller eminences of the surrounding country. In after times the Romans are supposed to have converted this native fortress into a commanding post near their military road (*q*). About two miles west from the Eildons rises the Cauldshields hill, whereon the Gadeni had a considerable strength, which, like the fort on Eildon hill, was strengthened by a double fosse and rampart. This strength which overlooked and commanded the country around, appears to have been converted as usual into a Roman post. The form of the remaining entrenchments and the appearance of the redoubt, which projects from the south side of the rampart and fosse to cover the entrance, exhibit the genius of Roman fortification (*r*). From the principal strength on Eildon hill, a fosse, and its accompanying rampart of

(*p*) In the area of this vast hill-fort of the first people, which is called *the Floors*, there appear vestiges of huts or rude earthen buildings, which sheltered, no doubt, the inhabitants of this strength. Milne's Hist. of Melrose, 46.

(*q*) Ib., 47. Roy's Milit. Antiq., 102, and pl. xxi., which exhibit a fine sketch of the Eildon-hills and their environs. Yet is there reason to doubt, whether the Romans had ever a post on a position which is quite unsuitable to their usual choice. Milne, indeed, calls this a *Roman* camp; but he also calls all the British strengths in the neighbourhood, *Roman* camps, from the unsettled notions that have been entertained in North-Britain on such subjects. Roy, who afterwards surveyed this hill, merely says, that there are some remains of entrenchments upon it, which he has delineated in his pl. xxi.

(*r*) Milne's Melrose, 47. The chief strength is an oblong square with the corners rounded. It is about 200 yards long from east to west; and 180 yards broad from north to south. It is surrounded by double ramparts of earth, and by fosses which encompass the hill about fifty feet, the one entrenchment below the other. The area of the square redoubt is about half an acre, and is defended by a single rampart and ditch. The Cauldshields-hill is steep on the north and west sides, but slopes gradually on the south and east. Such is the description of Mr. Kinghorn, who surveyed this country for me in 1803.

earth, run westward in a connecting continuation to the Cauldshields-hill. This ditch is from twelve to fifteen feet broad, and from nine to ten feet deep. The rampart was obviously formed of the earth that was thrown from the excavation upon the northern side, the ground sloping naturally to the northward (*s*). This immense work has much the appearance of the *Catrail*, was probably constructed by the Romanized Gadeni in the same age, and with the same views of defending their land from an invading foe on the eastward. From the Eildon hills, west-north-west upwards of two miles, there was a British strength which was called *Castlestead*, and which was fortified by a double fosse and rampart of an elliptical form that approached to an oval (*t*). From *Castlestead*, there was a military road which led down to the passage of the Tweed, at the Nether-Barnford (*u*). A similar military road of larger dimensions has been traced from the strength on Cauldshields-hill, three miles east-south-east to the post of Rowchester at Kippilaw-mains (*x*); and thence a mile

(*s*) Milne's Melrose, 47, merely mentions this military work in a general manner. The MS. Survey of Mr. Kinghorn is more special and precise. Upon the track of this fosse, on the declivity of the middlemost of the Eildons, there is a small circular entrenchment which is called *Bour-jo*, and contains about two-thirds of an English acre. Id. On the south side of this fosse, between the Eildons and Cauldshields-hill, there may still be seen the remains of a small British strength upon the summit of an eminence on Bowden-moor. Kinghorn's MS. Survey. Nearly a mile north-north-east from Cauldshields hill there was a British strength near Huntley wood, which was fortified by a double fosse and rampart in an oval form, and was called the *Roundabout*. The greatest part of this ancient remain has been levelled by modern cultivation. Milne's Melrose, 57; and Kinghorn's MS. Survey.

(*t*) Milne states that parts of the ditches were in his time ten feet deep, but that the destruction of the fortifications had then begun, and those remains are now almost obliterated by modern improvements. Milne's Melrose, 56; Kinghorn's MS. Survey.

(*u*) This road, where it was most entire, measured twenty feet broad, and had on either side a deep ditch. Milne's Melrose, 56; and Kinghorn's MS. Survey. This road has been almost obliterated by recent improvements, but Mr. Kinghorn says the remains of it were still sufficiently distinct to show its direction to the passage of the Tweed at Nether-Barnford.

(*x*) The station at Kippelaw-mains was placed on the summit of an eminence of no great height. It is in the form of a *parallelogram*, with the corners rounded a little. It was fortified by a rampart and a fosse thirty feet wide, and nearly twenty feet deep, which enclosed an area of two and a half acres. It has a fine spring of water in the centre of it, and there are two hillocks which the country people call the *Sentry-knows*, the one at the east end distant five hundred yards, and the other at the west end at the same distance. The military road which is mentioned above passes this post of Rowchester four hundred yards to the westward, which communicated with it by means of two small branches that strike off from the main road, and lead to an opening in the west end of the principal strength. Kinghorn's MS. Survey and Sketch.

and a half south-east to the post of Blackchester (*y*). This road probably proceeded across the Ale water to a strength on Bewlie-hill, and thence to another strength on an eminence northward of Raw-flat; but from the improvements of cultivation this way cannot now be traced farther than *Blackchester*. This remain is, in general, about forty feet broad; yet, in some part of its course, it is enlarged to fifty. It was originally formed by scooping the earth from the sides, which left the middle high. It has a ditch on each side from twelve to twenty feet wide, and the earth which was thrown from the excavations, formed a bank on the outside of the ditches. But no part of it appears to have been laid with stones, like the Roman roads in North-Britain, nor, like them, does it go forward in a straight line, as it has in several places, a bending direction through marshes and through stoney places, and it is still pretty distinct to inquisitive eyes within the Duke of Roxburgh's park at Halydean (*z*). Various weapons of war have at different times been turned up by the plough and spade, in the vicinity of this ancient work, as well as in the adjacent mosses (*a*). This curious remain has been generally considered as a Roman road, however unlike, in its course and formation to Roman ways. It may be rather deemed a *Catrail* of a less magnitude, than the *war fence* of this name, which passes through the same country from north to south, at some distance to the westward. The posts of Cauldshields-hill, of Rowchester, of Kippilaw, and of Blackchester, seem evidently to have been British strengths, which were subsequently converted to Roman posts, and on their relinquishment, repossessed by the Romanized Gadeni, who were probably the fabricators of the work, which connected so many posts during the fifth century.

About half a mile from Blackchester, there is the remain of a Gadeni fort upon Bewlie-hill, on the south side of Ale water. This British strength is of an elliptical form, and was fortified by a fosse and rampart (*b*). From Bewlie-hill, south-south-east about a mile and a quarter, there was another Gadeni post of a similar form and construction, on an eminence at Raw-flat (*c*). Returning to the vicinity of Eildon hills, there may be seen the remain of a

(*y*) Blackchester is situated on a small eminence in the south-east extremity of Bowden parish, on the north of the Ale water. It is also a *parallelogram*, with its corners rounded off, and is much larger than the post at Rowchester. It was defended by a double fosse and rampart. Kinghorn's MS. sketch.

(*z*) Milne's Melrose, 48; and Kinghorn's MS. Survey; Stat. Acc., 16, 240.

(*a*) Id. The minister of Bowden says this work appears in some parts like a large ditch twenty feet wide.

(*b*) Kinghorn's MS. Sketch. (*c*) Id.

British strength at Hercas, distant a mile south-south-east. The oval area of this post contains about three-fourths of an acre; and is surrounded by a fosse, about ten feet wide, and a rampart on the inner-side of the ditch, which was composed of the earth that was cast up from the excavation. About the trenches of Hercas, there have been dug up human and horses' bones, and some fragments of shields and bucklers. The *umbo*, or boss of a shield, and a buckler, which were found here, were made of a kind of brass or bell-metal, and were of very rude workmanship (*d*). On the north side of the Tweed, from the Eildon hills distant about two miles, on the hill above Gatton-side, there was a British strength which has long been called the Closses (*e*); and which was fortified by a rampart of stones and earth nearly half a mile in circumference, having one entry upon the east and another upon the west; and near to this large strength there was a small post of a circular form, which is called the *Roundabout* (*f*). Three quarters of a mile eastward from *the Closses*, there was a pretty large British strength, which was environed by a deep fosse and earthen rampart, nearly half a mile in circumference, that has been levelled by tillage on the south side (*g*). It still bears the name of *Chester-know* (*h*). About three quarters of a mile eastward from *Chesterknow*, on the top of the hill above Drygrange, there was a small British strength of a circular form, measuring about a hundred and fifty yards in diameter, and surrounded by a fosse and rampart (*i*). There are some other British strengths on the same side of the Tweed in this vicinity (*k*). Thus much then for the British hill-forts in the north-western parts of Roxburghshire.

(*d*) Kinghorn's MS. Sketch.

(*e*) This was a strong camp of an irregular rhomboidal figure, which was encompassed by a rampart of stones; and which contained in its area, near $4\frac{1}{2}$ acres of ground. There seem plainly to have been once some buildings within it, as there are still a great quantity of stones that cover its whole surface.

(*f*) Milne's Melrose, 61; and Kinghorn's MS. Survey.

(*g*) A part of this camp has been planted with trees, and other parts are entirely levelled.

(*h*) Ib., 62; and Kinghorn's MS. Survey.

(*i*) Ib., 58. Kinghorn's MS. Survey.

(*k*) About a mile and a half northward from the ancient camp above Drygrange, and nearly as much northward from the Chester-know, there is, on a small eminence called Brown-hill, the remain of a small British fort, which is of a circular form, and which has been encompassed by a single fosse and rampart, that are now nearly destroyed. Milne's Hist. Melrose, 69; Kinghorn's MS. Survey. Northward from Brownhill, there are the remains of several other British strengths upon their several heights, along the west side of the Leader water. Id.

In the western, or upper part of Teviotdale the Gadeni had also a number of hill-forts. In Cavers parish there are the remains of several British strengths, with one or two Roman posts that had been placed among them (*l*). There are also in the neighbouring parish of Hawick several British strengths of a similar site and the same construction (*m*). On an elevated ground, between Bedrule and Newton, there is the remain of a British strength, which has been surrounded by a rampart of earth. About half a mile eastward of this ancient post there is a Roman fort, which is enveloped by a fosse and an earthen rampart (*n*). In the neighbouring parish of Southdean, at the hamlet called *Chesters*, there are the remains of a British hill-fort, which is of a circular figure, and is defended by a double rampart of earth; and on the tops of the adjacent heights there are also similar remains of the same sort of strengths, which have areas each of about an acre in extent (*o*). Such were the Gadeni forts in Teviotdale.

In Liddesdale, the same people had also a number of similar fortlets. The most conspicuous of these is a fort on the top of *Car*-by hill, which obtained its appropriate name from the fortification upon it. The summit of this hill, which stands alone, and commands a view not only of the circumjacent country, but of Cumberland, is fortified by a rampart of stones that surrounds it in a circular form. In the centre of the area, which is a hundred feet in diameter, there is a round building of stones with an opening on the east; and about this, there is a number of smaller buildings of the same kind, which have all been constructed, obviously for the habitation of those who occupied the post. There still remain nine of these buildings. There plainly appears a road, which winds round part of the hill, and enters at an opening in the rampart on the south side of the strength (*p*). The fortifications on *Carby*-hill are exactly similar to those well-known British posts called Catherthun, and Barrahill (*q*). On the summit of the Side-hill, which is opposite to *Carby* in Liddesdale, there is the remain of a Roman post, which is of a square form, and is three hundred feet wide. It was defended by a rampart of earth eighteen feet high, and was obviously constructed there to bridle the British fort on Carby (*r*). We may see another instance of the same policy in that neighbourhood. Upon the farm of Flight, on the eastern side of Liddesdale, there is

(*l*) Stat. Acco., 17, 92. (*m*) Ib., 8, 533. (*n*) Ib., 15. 563-4. (*o*) Ib., 12, 71.

(*p*) Ib., 16, 83; wherein there is an engraved delineation of this remarkable fort, the great work of the British people.

(*q*) See Caledonia, i., ch. i. (*r*) Stat. Ac., 16, 83.

a British strength of a circular form, and about a hundred feet in diameter, which is encompassed with a rampart of stone. At a little distance from it there is a Roman post of a square form, about a hundred and sixty-eight feet long, which was fortified by two ramparts of earth, and which was plainly constructed on this site to oppose the British fort on Flight. The various instances of this nature which we have seen, evince that the Roman posts were not thus opposed to the British strengths by accident, but design, to bridle what they could not assault; and those circumstances equally disclose the chronology of the circular strengths which must necessarily have preceded the Roman works that were established in consequence of their prior erection. In several other parts of Liddesdale there are British strengths which are popularly called *Pictsworks*, or *Roundabouts*, from their circular forms, in contradistinction to the Roman forts that are always square, with the angles sometimes rounded off. The British posts are always situated upon eminences and generally within sight of one another. There are two of these near Hudshouse, two on the farm of Shaws, one on Toftholm, one on Foulshiels, one on Cocklaw, one on Blackburn, and one on Shortbut-trees. When the ramparts of this last strength were removed, there was discovered upon the south side, a place within it, twenty feet long, and ten broad, which was paved with flat stones and lined with similar materials; and in this place there were found some ashes and burnt sticks that plainly intimate the purpose of the building (*s*). Such, then, were the strengths of the Gadeni, which, as they were fortified with ramparts of stone, must have been of an earlier age than those strengths which were secured with mounds of earth; the first kind must have preceded, and the latter succeeded the Roman times, when the Roman manner is so exactly imitated by the Romanized Britons in their military works.

In the Eastern parts of Roxburghshire, which lay within the territories of the Ottadini, we may still trace their forts. On the summit of Hounamlaw, a high mount of a conical shape, there are the remains of a British fort which was of considerable extent, and seems even to have been used in the hostile conflicts of more modern times. There are some other British strengths on the tops of the smaller hills near Hounamlaw (*t*). There are also similar remains of British forts in the neighbouring parish of Morebattle (*u*). On the summit of Peniel-heugh, a green hill of great height in Crailing parish, there are the remains of two British forts which were strongly fortified by ramparts of stone. One of these, though much demolished, still retains the indicative name

(*s*) Stat. Ac., 16, 84. (*t*) Ib., 1, 52. (*u*) Ib., 16, 512.

of *the Castle* (*x*). Upon a high cliff which forms the south bank of the Tweed at Rutherford Common, there are the remains of a fort, which, from its circular form, is called *Ringley*-hall. It was fortified by two deep ditches and earthen ramparts. Near it is a tumulus which has been enclosed and planted with trees. This fort, which, like others of a similar kind, has been made use of in the hostile conflicts of more recent times, is mistakingly called a Roman camp, and the barrow, an exploratory mount, by Pennant, who has been re-echoed by the minister of Maxton. Yet the circular form of the fort with its accompanying tumulus, show clearly that it had been erected by British rather than by Roman hands (*y*). In Roxburgh parish there are remains of several strengths of a similar kind (*z*).

There are other remains which have a relation to security, and were also the works of the British people who roved over the area of Roxburghshire, rather than cut down its woods, and planted its glebe. In the steep banks of the Jed there are several artificial caves, which were made in the rock for hiding places in early ages (*a*). In the rocky banks of the Ale below Ancrum house, there were several caves, fifteen whereof still remain, the monuments of wretched times. In some of them artificial fire-places have been formed, which evince that they have been used as apartments of residence as well as places of concealment (*b*). In the parish of Roxburgh there are several caves which have been formed in the face of a rocky precipice that is washed by the Teviot, which here meanders in a broad and deep channel (*c*).

There are other antiquities in this shire of a more miscellaneous nature. On a rising ground near Ancrum on the bank of the Ale, there is a remain called *Malton Walls*, which tradition supposes, though perhaps mistakingly, to have been a cemetery of the knights of Malta (*d*). At Milholm in Castleton parish, there is an ancient *cross* consisting of one stone, which is eight feet four inches high, and is set on a basement of one foot eight inches. On the south

(*x*) Stat. Acco., 2, 331.

(*y*) Pennant's Tour. ii., 271 ; Stat. Acco., 3. 277 ; Ib., 19, 137.

(*z*) Ib., 19, 136. (*a*) Stat. Acco., 1, 5. (*b*) Ib., 10. 294. (*c*) Ib., 19, 136.

(*d*) *Malton Walls* are in the form of a *parelleloyram*, and are strongly built of stone and lime. Vaults and subterraneous arches have been discovered beneath the enclosed area: and human bones are frequently ploughed up in the adjacent grounds. The name and the tradition seem to show that these buildings and the adjacent fields, were once vested in the Knights of St. John of Jerusalem. Stat. Acco., 10, 294. The subterraneous vaults were probably hiding places during the border wars, and the inhabitants of them may have buried their dead in the neighbouring fields.

side of this cross, there is sculptured a sword four feet long, with some letters that are no longer intelligible. It was probably erected to commemorate some of the events of the thirteenth century (*e*).

But the most stupendous work of the Britons, who once were the hardy tenants of Roxburghshire is the *Catrail* or *Pictsworkditch*. This is probably the vast remain of the Romanized Britons, the children of the *Gadeni* and *Ottadini* of former times, who enjoyed this country after the abdication of the Roman power (*f*); and it seems to have been constructed as a line of defence against the invading Saxons on the east, during the fifth century. After traversing Selkirkshire, the *Catrail* enters Roxburghshire, where it crosses the Borthwick water near Broadlee. Here its remains are very visible, and it continues to be equally distinct till it reaches Slatehill-moss, whence it runs in a south-east direction across the Teviot, through the farm of Northhouse to Dogcleugh-hill, where it appears very obvious to every eye. From this position it proceeds south-east in a slanting direction across Allan water to Dod, passing in its course two hill forts on the left (*g*). From Dod, the Catrail courses eastward, near another British fort on Whitehill brae, and it now ascends the Carriagehill, whereon it appears very prominent to the eye and very instructive to the intellect. From this height it descends across Longside burn, where it becomes the known boundary of several estates. From this burn, it traverses the northern base of the *Maidenpaps* to the Leapsteel, and thence holding its forward course by Robertslinn and Cockspart, it crosses the dividing hills into Liddesdale, and again appears on the Dawstane burn, where the Scottish Aidan was defeated in 603 A.D., by the Saxon powers. Its vestiges may thence be traced nearly to the Peelfell on the confines of Liddesdale, where this district bounds with Northumberland (*h*). From its remains the *Catrail* appears to have been a vast fosse, at least twenty-six feet broad, having a rampart on either side of it from eight to ten feet high, which was formed of the matter that was thrown from the ditch. The whole course of

(*e*) Stat. Acc., 16, 86, and the drawing which fronts p. 83, where it is said to have been erected in memory of Armstrong of Mangerton.

(*f*) Caledonia, i., 236.

(*g*) These British strengths stand as usual on the tops of heights, which were fortified by a fosse and rampart around their summits in an elliptical form. One of these is called *Dogcleugh Castle*, the other is on an eminence called *Burg*hill, on the east side of Allan water, which, as it received this appropriate name from the intruding Saxons, this circumstance evinces that a fort or *burgh* already existed on the *hill*.

(*h*) See book ii., ch. ii., before.

the Catrail from the vicinity of Galashiels, in Selkirkshire, to Peel-Fell, on the borders of Northumberland, is upwards of forty-five miles, whereof eighteen of its course are within Roxburghshire.* *Catrail* means, in the language of the constructors of it, the *dividing fence* or the *partition of defence; Cad*, in the British speech signifying a striving to keep, a conflict, a battle; and *Rhail* equally signifying in the same speech, what divides, a division (*i*).

From that singular remain of the Britons, within this shire, it is natural to advert to the Roman *road* which traversed Roxburghshire from the south to the north. This way is a continuation of the Watlingstreet, or the middle Roman road into North-Britain. The Watlingstreet after crossing the walls of Hadrian and of Severus, at Port-gate, and passing the stations of Risingham and Rochester, arrives at Chewgreen, the nearest station to the borders (*k*). It now enters Roxburghshire at Brownhart-law, whence passing along the mountains it forms the boundary of the two kingdoms for a mile and a half, till it arrives at Blackhall, where it enters Scotland, and descending the hills it crosses the Kail water at Tow*ford* (*l*), where, passing a hamlet, which is named from it *Street*house, the road runs several miles between Hounam parish on the east, and Oxnam parish on the west, till it arrives at the south-eastern corner of Jedburgh parish (*m*). From this position the road pushes forward north-westward in a straight line, passing the Oxnam water a little below Cope-hope, and the Jed below Bonjedworth (*n*). Having now traversed the neck of land between the Jed and the Teviot, where there have been observed some vestiges of a station (*o*), it crosses the Teviot and runs through the inclosures

* See Oliver's Upper Teviotdale, p. 4, Jeffrey's Roxburghshire, i., p. 96, and Skene's Celtic Scotland, vol. i., p. 235-6, for later opinions as to the extent and probable purpose of the Catrail. See also Dr. Bruce's admirable work on the Roman Wall.

(*i*) See Davis, and Owen's Dict. The (d) in the composition of the British tongue changes to (t).

(*k*) Roy's Mil. Antiq., 102.

(*l*) Upon the west side of the Watlingstreet, after crossing the Kail, and on the upper waters of the Jed, there is the remain of a Roman post. See Ainslie's Map of Scotland.

(*m*) Stobie's map of Roxburgh; Stat. Acc., i., 52; Ib., 330-1.

(*n*) Between the Oxnam and the Jed, the Watlingstreet, as it had some marshy land to pass, was here covered with large stones, part whereof are still visible. Kinghorn's MS. Survey. The minister of Eckford, Mr. Paton, says he saw a medal of the Empress Faustina that had been taken from *the heart of a peat*, which was dug at the *Moss Tower* in that parish. It was about the size of half a crown, and the inscription was very distinct. Stat. Acco., viii., 34. The *Moss Tower* is south of the Teviot, and about three miles and a quarter from the Roman Road which is above described. From those intimations it may be inferred that this moss had grown since the Roman times. In 1747 a Roman *Cestus* of brass was found about seven feet below the surface, in digging for a well at the village of Stitchel. It was presented to the Antiquarian Society of Edinburgh by Sir James Pringle. Acco. Antiq. Soc. Edin., 52.

(*o*) Roy, 102.

of Mount Teviot; the road now courses north-north-east in a straight line for upwards of three miles, between the parish of Ancrum on the west, and the parish of Maxton on the east (*p*). Entering now the parish of Lessudden, it crosses Leiret burn, and traversing St. Boswell's green, it passes Bowden burn above Newton (*q*). From this passage the road proceeds in a north-north-west direction along the eastern base of the Eildon hills to the Tweed (*r*). Having now crossed this river at the ford which was opposite to Melrose, the road went northward along the western side of Leader water, nearly in the track of the present highway to Lauder (*s*), to a Roman station called *Chester*-lee, which was placed on the north side of a rivulet which falls into the Leader above Clackmae (*t*). The Roman road having passed the station of *Chester*-

(*p*) In this course, on the eastern side of the road, there are vestiges of a Roman camp on the declivity of the hill bordering on Maxton parish. Stat. Ac., x., 294.

(*q*) Stobie's map; Stat. Ac., x., 294; and Kinghorn's MS. Survey; who says, the Roman road appears very clearly, as it winds down the bank on the south side of Bowden-burn.

(*r*) For the Roman station on the Eildon-hill, see Roy's Sketch, pl. xxi. At the base of this hill, about the town of Melrose, there have been found a number of Roman coins of the emperors, Vespasian, Trajan, Hadrian, Antoninus Pius, Marcus Aurelieus, and Constantine. Some of those coins were of gold, some of silver, and some of brass. Milne's Melrose, 44-5. Milne, who was not an antiquary, supposes the Romans to have placed their station on the high top of the Eildon-hills, rather than at Melrose, at the foot of them below, where those coins have been found.

(*s*) From Eildon, on the south of the Tweed, General Roy has completely mistaken the course of the Roman road, throughout its whole course to Soutra-hill. He was plainly misled by the intimations of the *Girthgate*, which goes from the Bridge-end of Tweed, in the valley of Allan water, and over the moors to Soutra-hill. This, he too hastily supposed to be the remains of the Roman road. But, upon a particular examination of it, by the accurate eye of Mr. Kinghorn, it was found to be merely a footpath or track, which had been formed by the feet of travellers, without the smallest appearance of a Roman way. It, no doubt, obtained the name of *Girthgate* from its being the usual path to a well-known *sanctuary*, which belonged to the hospital of *Soutra*. In the Scoto-Saxon language, *Girth* means a *sanctuary*, and *gate*, a road.

(*t*) The camp of *Chester*lee stands on an eminence which commands a view of several British strengths in the surrounding country. It was of a square form, with its corners a little rounded; and it measures 160 yards on each side. It was surrounded by a double fosse and earthen rampart, a great part of which has been destroyed by cultivation. The remainder of the camp has been planted with trees. About 500 yards westward from the camp of *Chester*lee, upon the north side of the same rivulet, there is a smaller Roman post called *Ridgewalls*, which stands on a height commanding a view of several British strengths, both on the north and south. This camp of *Ridgewalls* is an oblong square, surrounded by three fosses and earthen ramparts. The area, within the innermost rampart, is 85 yards long, and 37 yards broad. This ancient work has also been much defaced by cultivation. These several statements are made from Mr. Kinghorn's Survey for me in November, 1803. Milne, in his account of Melrose, 1746, after mentioning the two camps of *Chesterlee* and *Ridgewalls*, immediately adds, "from Chesterlee, the appears to be *a plain*

lee about three quarters of a mile, may still be easily traced for a considerable distance (*u*), crossing the turnpike and a small brook which mingles its waters with the Leader below Chapel. From hence the Roman road proceeding northward to a small station called the *Wass* or Walls, near to New Blainslee, again appears, distinctly, to every eye for about a mile and a half, when it again crosses the turnpike road and immediately afterwards a rivulet, about half a mile east-north-east from Chieldhells chapel; whence it pushes up Lauderdale through Berwickshire.

There was another Roman road which is called the *Maidenway*, and which came down from the Maiden Castle on Stanmore in Westmorland, and through Severus's wall at Caervoran, into Liddesdale at a place called *Deadwater* (*x*). Whence under the name of the *Wheel Cause*way, it traverses the north-east corner of Liddesdale, and along the eastern side of Needslaw into Teviotdale (*y*). This way cannot now be traced throughout that vale; neither is it certain whether it ever joined the Watlingstreet within the limits of Roxburghshire. But a chain of Roman posts was certainly established, as we know from remains throughout this county. The Roman post on the upper part of the Jed, the station on the eastern side of the Rule, the post near Rawflat between the Teviot and the Ale, the post of Blackchester, the fort of Rowchester at Kippilaw, the post on Cauldshiels hill, and the station of Castlestead, form such a chain of posts in Teviotdale, as evinces that some vicinal way must have connected them together. The camp at Kidside which is called *Castlestead*, is obviously a Roman remain (*z*); and there is equal reason to suppose that

"*military way* to the *south* and also to the *north*, running through the *chapel moor* and the *Blainslee* "ground to *Chieldhells chapel*." p. 68. These facts evince that such was the true course of this Roman road.

(*u*) This small post stands on a gentle eminence upon the west of Leader water. It appears to have been of an oblong form, comprehending within its area about an acre and a half of ground. The ramparts seem to have been chiefly composed of stones; but the ramparts are so much defaced as to leave a little doubt whether they had been built by Roman or by British hands. Kinghorn's MS. Survey.

(*x*) Gough's Camden, iii., 177; Burn's Cumberland, i., 4; Hutchinson's Northumberland, i., 4. Camden describes the *Maidenway*, "as being eight yards broad, and paved with stones."

(*y*) See the map in Gordon's Itinerary; the map prefixed to Burn's Cumberland, where the course of the Maidenway is not quite accurately laid down; and see also Stobie's map of Roxburghshire.

(*z*) On Severus's wall, there are several Roman posts, which are also called *Castlesteads*. Gough's Camden, iii. 213—35. *Castlestead* is a general name which the country people have given to the *Castellas*, on the Roman wall. Ib., 205—15, and *Castlestead* has become the proper name of the Roman fort on the Cambeck. Ib. 201, 235; and Gordon's Itinerary, 81.

the road leading from this post to the Nether Barnford on the Tweed was also Roman. The post on Cauldshiels hill was also formed by Roman hands, as we might indeed infer from its square redoubt. The post at Rowchester, or Kippilaw, is also Roman, as its form evinces (*a*). The post at Blackchester is one of the same chain of Roman remains as we have already shewn. The work at Rawflat, in this vicinity, is also Roman, if we may determine from its position on a small eminence and from its quadrangular form. In Upper Teviotdale, as we have perceived, the British and the Roman strengths accompany each other. In Liddesdale, also, the Roman posts are often opposed to the more ancient British forts; and coins, and vessels of copper, and of brass, the instructive remains of those polished conquerors have been discovered near those various strongholds (*b*).

The abdication of the Roman government during the fifth century, and their retreat from the soft margin of the Teviot and "pleasanter banks of the "Tweed," whereon they delighted to dwell, are memorable eras in the history of Roxburghshire. It was soon invaded by a very different race of conquerors. The Romanized Ottadini, and Gadeni, the real possessors of the country from ancient descent, struggled for a while against their invaders. They tried to repair their hill-forts after the Roman manner. They erected military lines for defending their native land, which emulate in their construction and magnitude, the Roman ramparts. But they bravely struggled without ultimate success. The Saxons gained upon them, and before the conclusion of the sixth century, the new people appear to have occupied Teviotdale and the eastern district of Roxburghshire (*c*). Included in the kingdom of Northumberland, it partook with it of its prosperity, and with it of its decline (*d*). It was relinquished by the Earl of Northumberland as part of Lothian to the Scottish king in 1020 A.D. The earliest antiquities of the Saxons are the names which they imposed on their places (*e*). Next to the language, the

(*a*) A Roman fort on Severus's wall is called Rowchester. Gough's Camden, iii., 236. The Roman station in Reedsdale is called Roechester.

(*b*) Stat. Acco., xvi., 80-3.

(*c*) Saint Cuthbert was born on the Tweed in 635 A.D. As a boy, he tended the flocks on the Leader; as a youth, he entered the old abbey of Melrose, which is mentioned by Bede; he preached in his Teutonic tongue to the Saxon people of Roxburgh and the Merse; and he died in 687. Smith's Bede, 232-256.

(*d*) We may learn from Bede, l. iv., c. 27, and l. v., c. 12, that Roxburghshire was, in the age of Cuthbert and long afterwards, a part of Northumberland.

(*e*) The topography of Roxburghshire, as we may easily suppose, and as we have indeed seen, abounds in names of places from old Saxon words.

most ancient remains of the Saxons, which may be distinctly traced to the present times, are two religious houses. Old Melrose, a monastery which was erected in a curvature of the Tweed before the birth of the worthy Cuthbert (*f*), and the church of Old Jedburgh, which was founded by Bishop Eccrede, who died in 845 A.D. (*g*). But the Saxons of this shire have transmitted little of their civil policy, and still less of their military actions, to posterity. Ethelfrid, who is celebrated for expanding the Saxon territories, defeated indeed the Scoto-Irish Aidan, at Dawston-burn, in 603 A.D. Amidst the civil wars of the Northumbrians, an obstinate battle was fought near Eildon, on the 6th of August, 761, wherein Ethelwald slew Oswin, the pretender to the crown (*h*). Kenneth, the son of Alpin, after the Picts had submitted in 843 A.D., to his policy, as much as to his power, penetrated through *Saxonia* to Melrose, where he exercised the destructive rights of a vengeful conqueror (*i*).

The weakness of the Northumbrian government arising from its anarchy, transferred Roxburghshire to the Scottish kings. This revolution was so little felt during ages of barbarism, that it has scarcely been recorded by history or transmitted by tradition. It is only by the names which the Scoto-Irish people imposed on places, that we know with certainty how much their ascendency was once acknowledged on the Tweed and the Teviot.

There is another class of antiquities which is regarded by some antiquaries as the only objects of antiquarian research. The eyes of such antiquaries are most forcibly struck by the ruins of castles which have been disparted by time, and which they see nodding to the ground. Few of those castles are of ancient erection. The towers of Roxburghshire have been mostly all built "of "lyme and stane," after the accession of Robert Bruce, during the ages of civil anarchy and of wasteful wars. They were all erected with a view to security rather than to comfort, of similar construction, and with similar materials, and in every shire the ruins of castles, whether larger, or less, may be deemed when compared with British forts, and Roman stations, and ancient ways, the *modern antiquities*, the wonders of ignorance more than the curiosities of knowledge. The castle of Jedburgh, as we know from record, was erected as early as the accession of David I., and is indeed the earliest castle in this county of which any distinct account can be given. The castle of Roxburgh, indeed, may vie with it in its antiquity, and claim a pre-eminence as a strength

(*f*) Smith's Bede. (*g*) Ang. Sacra, i. 698; Hoveden, 412.
(*h*) Sim. Dun., 106; Flor. Wig., 275; Chron. Melrose, 137.
(*i*) Chron. Innes's App., No. iii.

and a decided superiority as a royal residence. The pile of Clintwood, which gave a name to *Castleton*, was probably built before the conclusion of his lamented life. It is certain that Hermitage Castle was built during the able reign of Alexander II., and these were followed, in subsequent times, by various castellated buildings which have been called *Peels*, and which all lie in the ruins of time, except the Peel of Hud-house that still remains entire (*k*). There are *strong holds* of more modern erection and more dignified cast, which are a little more famed in the border conflicts, and yet merit little more notice from antiquarian disquisition, though they may have ultimately been the successive scenes of coarse hilarity and strenuous efforts (*l*). Yet amidst the thousand conflicts of which this shire was the theatre during ages of trouble, scarcely any of the *war-cries* of the gallant men of Teviotdale have been transmitted by oblivious tradition. The strong banks of the Oxnam water were of old covered by impervious fastnesses which were called the *Henwood*, and which furnished a *rendezvous* for the border warriors when invaded by their "ancient adversaries;" and this commodious circumstance gave rise to the *war-cry*, "A Henwoody! A Henwoody!" which made every heart burn with ardour, every hand grasp a weapon, and every foot hasten to the *Henwood* (*m*).

§ v. *Of its Establishment as a Shire.*] As early as the epoch of the Scoto-Saxon period, Roxburgh became a sheriffdom. At the origin of charters we see a sheriff acting here in his proper sphere (*n*). Early in the reign of David,

(*k*) There are, in this shire, the *Peels* of Prickinghaugh, Whitehaugh, Hillhouse, Riccarton, Mangerton, Puddingburn, and others. For their several sites, Stobie's map of Roxburgh may be consulted.

(*l*) In this shire, near the borders, are Cessford castle, Eckford castle, Moss tower, Wooden tower, Ormiston tower, Gateshaw tower, or Corbet house, Whitten castle, Cocklaw castle, Graden peel, Dolphiston tower, Mossburnford tower, Crag tower, Loch tower, Crailing castle, Bonjedward castle, Hurdem peel, Edgerston castle, Fernihirst castle, Clesbry peel, Doror peel, Bedrule castle, Rewcastle, Newton tower, Fulton tower, Comers castle, Fast castle, Castle Weary, Goldielands castle, whereof Grose has given an elegant view, Fenwick tower, Branxholm castle, Minto tower, Hassendean tower, the residence of quiet monks, Nisbet towers, Roxburgh tower, exhibiting in its sculptures Gothic magnificence, Bromhouse tower, Littledean tower, Holydean castle, Darnwick towers, the ancient residences of the Fishers, and Hytons, two families here of "old standing," Buckholm house, Colmslee tower, and Smailholm tower, which last is of such conspicuous appearance, as to form a land-mark for shipmen, entering Berwick.

(*m*) Stat. Acco., ii. 330.

(*n*) In Earl David's charter to Selkirk, while *Henry reigned, in England, and Alexander, in Scotland*, Odard, the Sheriff of Babenburgh, is a witness. Sir James Dalrymple's Col., 405. Among the charters, which belonged to Coldingham, and are preserved, in the treasury of Durham, there are writs addressed, by King David I. to the sheriff of *Rokesburgh*. Nicholson's Hist. Lib. 363-4.

John, the son of Orm, was sheriff of Roxburgh (*o*). Gervase Riddel, who is mentioned in the inquest of Earl David 1116 A. D., is called in a charter of King David "vicecomes de Rokesburch (*p*)." The policy of a sheriffdom in Roxburgh which was thus established by the practice of two reigns, we may easily suppose was continued by the two successors of David I. John de Maccuswel was sheriff of Roxburgh during the reign of William, before the year 1189 (*q*). He was succeeded by Herbert Maccuswel, who died about the year 1200 (*r*). John de Maccuswel, his son, succeeded him as sheriff of Roxburgh during a long life (*s*); or, what is more probable, he must have been succeeded in his office by a son of the same name, who died in 1241 (*t*). This respectable officer was succeeded in his sheriffwick before the demise of Alexander II. in 1249, by Bernard de Hawden (*u*). During the subsequent reign of Alexander III., the same office was executed by various persons, while the same polity continued for the administration of law and the distribution of right (*x*).

We have thus traced this office throughout the Scoto-Saxon period. Many changes were now at hand. When Edward I., by intrigue and violence, obtained the direct dominion of Scotland, he seems to have considered Roxburghshire as his own (*y*). When he settled the affairs of this kingdom by

(*o*) Sir J. Dalrymple's Col. 382. (*p*) Ib. 348.

(*q*) John de Maccuswell, the sheriff of Roxburgh, was a witness to a charter with *Hugh*, K. William's chaplain. Chart. Kelso, No. 139. This charter was confirmed by K. William; and *Hugh*, his chancellor, who was placed, in this office, in 1189, is a witness. Ib. No. 143.

(*r*) Dougl. Peerage, 514.

(*s*) John de Maccuswell was a witness to a charter of Eustace de Vescey, about the year 1207. Ib. No. 207; 212.

(*t*) John de Maccuswell was sheriff of Roxburgh, in 1225, and 1226, under Alexander II. Chart. Arbroath, 94; Chart. Melrose, No. 5; Sir J. Dal. Col. 405; John de Macheswell was buried, at Melrose, in 1241. Chron. Melrose, 206.

(*u*) Bernard de Hawden, the sheriff of Roxburgh, appended his seal, with other seals, to a deed of Richard Gwalin to the monks of Kelso. Chart. Kelso, No. 49; Sir J. Dal. Col. 413.

(*x*) In 1266, Thomas Randolph, the sheriff of Roxburgh, was a witness to the resignation of Robert France to the monks of Kelso. Chart. Kelso, No. 189. In 1271, there is the report of an inquest, "in pleno comitatu de Roxburgh," upon certain rights of the house of Soltra, which was certified under the seal of Alexander III. Chart. Soltra, No. 17. In May 1285, Hugh de Reveden requested, by letter, Hugh de Peresby, the sheriff of Roxburgh, to affix his seal to a deed. Chart. Kelso, No. 218-19. The same sheriff was a witness, with Thomas of Ercildun, the rhymer, to a charter of Haig of Bemerside. Nisbet's Heraldry, i. 134.

(*y*) On the 14th of May 1296, he delivered the custody of the castle and county of Roxburgh to Walter Tonk. Rym. ii. 714.

his famous ordinance of 1305, he appears to have placed this frontier county under a sort of military government (*a*).

When the genius of Bruce had established the independence of Scotland, Roxburgh again enjoyed for a time its ancient polity of peaceful times. The castles of Jedburgh and Roxburgh were now placed in very different hands. But the demise of that great prince, in 1329, threw the county back into its late anarchy, while the English kings pretended to the sovereignty of Teviotdale. In 1334, Edward III. appointed Galfrid de Moubray, the Sheriff of Roxburgh (*b*). William de Seton was, however, appointed soon after sheriff of the same shire, by David II. (*c*). During the revolutions of that age, the sheriffs of Roxburgh were alternately appointed by David II., and Edward III., as their power predominated. After Roxburgh castle had been gallantly taken, by the skill, and valour, of Sir Alexander Ramsay of Dalhousie this excellent officer was appointed, in 1343, sheriff of Roxburgh. Yet, was this truly respectable man surprised on the seat of justice, at Hawick, by Sir William Douglas, the knight of Liddesdale; carried by him to the dungeon of his castle of Hermitage; and there immured, to die of want. The odious assassin of that gallant soldier, was appointed his successor, as sheriff, by the misguided weakness of David II. (*d*). During the sad period, from 1346, when David was taken prisoner, to 1384, when Roxburghshire was freed, from the dominion of the English, Edward III. had his sheriffs in this county (*e*). New changes were now at hand. As this shire, the castle of Roxburgh excepted, had been chiefly

(*a*) By that ordinance, Ryley, 505, the king's lieutenant was appointed to have in his hands the castles of Roxburgh and Jedburgh, and without a sheriff this lieutenant was to govern the shire.

(*b*) There is a writ of Edward III. addressed to the sheriff of Roxburgh, dated 15th September, 1334, to inquire if the sheriffship of Roxburgh and the custody of Selkirk-forest belonged to Isobel, the countess of Mar. Rymer, iv., 622-35.

(*c*) William de Seton, the sheriff of Roxburgh, granted a charter of confirmation to the monks of Dryburgh, of a *burgage* in the town of Roxburgh. Chart. Dryb., No. 3. The date of this confirmation was 1338, as we see from the subsequent resignation of the same *burgage* by Roger, the son of Hutred, *the fisher*. Id. The sheriff seems to have acted *officially* in this transfer, though it appears not by what authority.

(*d*) Hume of Godscroft, 75.

(*e*) In Ayloffe's Calendar, 108, there is a writ, "de audiendo Compotum Jo. de Coupland, "vicecomitatis de Roxburgh, 1351." It was Coupland who took David II. in the battle of Durham. He is celebrated among the eminent men of Northumberland as *the valiant esquire*. Wallis's Hist., 415-16. In 1369, and in several successive years, Alan de Strother was sheriff of Roxburghshire. Rob. Parl. Rec., 115, 126; Rym., vi, 688.

freed, by the exertions of the Douglases, it generally followed their fortunes. In 1396, Sir William Stewart of Jedworth-forest, a dependant of that family, was sheriff of Roxburghshire (*f*). In 1398, the lands of *Cavers*, with the

(*f*) MS. Contract of Marriage with Stewart of Dalswinton; Nisbet's Heraldry, ii.; Remarks on Ragman's Roll, 2. Sir William Stewart, the sheriff of Roxburgh, was the son of John *de Forresta*, by a daughter of Turnbull of Minto, and the grandson of John *de Jedworth*, who was himself, probably, the *fourth* son of Sir John Stewart of Bonkyl, that fell at the battle of Falkirk in 1298. Sir William Stewart of Jedworth-forest, as a strenuous character, was perfectly qualified to act a suitable part during the bloody scenes of a misguided age. In 1385, he received, of the 40,000 livres which were distributed by the French admiral Vienne among the leading men of Scotland, 100 livres as his appropriate share, while the Earl of Douglas had 7,000. Rym., vii., 485. In 1394, Sir William Stewart of Jedworth was one of the ambassadors who were sent to treat of peace with England. Ib., 788. He was much employed on the borders, where he lived, by Robert III., and was amply rewarded by his sovereign. In 1397, Sir William Stewart of Jedworth, and others, were appointed to treat with the commissioners of Richard II. Rym., viii., 17. In 1298, Sir William Stewart was one of the sureties for the Earl of Douglas's middle marches. Ib., 54. At a meeting of the commissioners, English and Scottish, on the 20th of October, 1398, at Hawdenstank, on the south-east of Roxburgh, for granting redress on the borders, Sir William Stewart was accused of being in company with Earl Douglas's son, when he burnt the town of Roxburgh, broke down the bridge of Roxburgh, and did other damage against the truce. Sir William, being then present, gave in his answer; but the charge for its *heighnousness* was referred to the principal wardens. Ib., 58. Sir William's rewards for his services on the borders may be seen in Robertson's Index, p. 143, 150, 154, 157. Yet is the identity of Sir William Stewart, and the place of his residence, disputed by those who had an interest to confound him and it with other persons and places. See William's Evidence for the Earl of Galloway throughout. But there can be no doubt with regard to either. (1) We see above, Rym., viii., 17, that he is called in the Record, Sir William Stewart *of Jedworth*. (2) It was even doubted whether there was such a place as *Jedworth-forest*, or *the forest* in Roxburghshire. It is, however, a fact with which this sceptic was unacquainted, that the Earl of Douglas was, by his creation, baron of *Jedworth-forest* in this shire. In 1319, the castle, town, and *forest* of Jedworth, was erected by charter into a *free forestry*; and it was recorded on the tomb-stone of James Earl Douglas, in 1443, that he was *dominus Jedburg-forestiæ*. Hume of Godscroft, 159. Yet Sir William Stewart, as we may thus see, was *not dominus Jedburg-forestiæ*; he was only *goodman* of some lands within that forest. (3) He is purposely confounded with Sir William Stewart of Castlemilk, who lived at the same time, though in a different shire. The border commissioners, who sat at Hawdenstank, in 1398, on the 28th of October in that year adjourned to *Cloch*maban-stane, near the Solway, in Dumfries-shire, not *Loch*maban-stane, as it has been sometimes said, mistakingly, where they met on the 6th of November in the same year; and at this time and place, "Sir William ·· Stewart of *Castlemylke*," became one of the sureties of the peace, on the west march. Rym., viii., 58-9. We thus perceive in the Record, Sir William Stewart of Jedworth, and Sir William Stewart of Castlemykle, acting on the stage at the same time, and on the same occasion, though in different shires; Sir William Stewart of Jedworth, as a person accused; and Sir William Stewart of Castlemylke, as a person trusted; and they were, therefore, different persons, and not the

sheriffship of Roxburghshire, were granted to George, Earl of Angus, who died, in 1402 (*g*). Isobel, the countess of Mar, in whom seem to have been invested this office, and that property, on the death of Earl George, transferred both, without the necessary assent of the king, to the Earl of Douglas, who was then a prisoner in England (*h*). It was conceived, that both had thereby become escheat; and Robert III., willing to reward the services of Sir David Fleming of Biggar, conferred on him in 1405 the lands of *Cavers*, with the sheriffwick of Roxburghshire (*i*). But he did not enjoy long either the lands or the office; for he was soon after assassinated at Longherdmanston, by James Douglas of Balveny, the second son of Archibald. the Earl of Douglas, who fell at the battle of Vernueil (*k*). Though this assassination emulated, in atrocity, the murder of Sir William Ramsay, a former sheriff of Roxburgh, by another Douglas, it equally passed away, as a common occurrence, without inquiry, or notice (*l*). The aged king was bowed down with afflictions; the

same person; being two respectable knights, the one of Roxburghshire, the other of Dumfriesshire. In 1399, Sir William Stewart of Jedworth was taken prisoner, at Fullhopelaw, during an inroad into Northumberland. Harding's Chron. 198; Border Hist. 367. In 1402, Sir William Stewart of Jedworth was again taken prisoner, at the more celebrated battle of Homildon, within the Northumbrian border; and was soon after tried, as a traitor, under the illegal direction of Henry Percy, the *Hotspur* of Shakespeare, and unwarrantably executed, by his lawless order. Wyntoun, who wrote, at the time, is express upon the point. Cronykil, ii. 401-2; Goodal's Fordun, ii. 434, confirms the same fact; and Crawford's MS. Genealogy of the Stewarts of Dalswinton, and Garlies, to the same fact. The mangled limbs of Sir William Stewart being exhibited on the gates of York, he appeared no more, in record, or in history. But, Sir William Stewart of Castlemylke lived to fall before the walls of Orleans, on the 12th February 1429. See And. Stewart's Supl. to his Geneal. Hist. of the Stewarts. p. 78—82.

(*g*) Robertson's Index, 147. (*h*) Ib. 148.

(*i*) Robertson's Index, 148; Crawf. Peerage, 459, which quotes the charter.

(*k*) Wyntoun, ii. 413; Crawf. Peerage, 495: Wyntoun says that the assassination was committed "of evil consale, and felonne:" Crawfurd, after the Scottish historians, intimates, indeed, that Sir David had instructed the Earl of Northumberland, to make his escape, who was the prisoner of Sir James Douglas. But, this suggestion cannot be true; as the secret, if it existed, could not easily be known, except from Sir David himself, or the Earl of Northumberland, who had been helped. Sir David who is praised for his loyalty and his worth, when he was assassinated with aggravated circumstances, was in the act of returning after he had conveyed James the heir of the crown, on board the ship which was to carry him to France. This alone was sufficient provocation to James Douglas. But, that Sir David, though the king's relation, should have presumed to solicit, or accept a grant of lands, and an office, to which the Douglases claimed a right, was an offence to them, that was not to be pardoned, by that unforgiving family.

(*l*) The principal assassin was the king's grandson, and the Duke of Albany's son-in-law. Crawfurd's Hist. of the Stewarts, 21.

Duke of Albany misruled his kingdom; and the Douglases domineered over all without control.

The lands of Cavers and the sheriffwick of Roxburgh were soon after transferred to Archibald, a bastard son of James, the second earl of Douglas (*m*). This office continued in this family, though perhaps with some interruptions, till the final abolition of the heritable jurisdictions. Archibald seems to have been succeeded as laird of Cavers and sheriff of Roxburgh, soon after 1438, by his son William (*n*). He was succeeded by his son Archibald, who was also heritable sheriff of Roxburgh (*o*); and Archibald appears to have been succeeded by William Douglas as sheriff of Teviotdale (*p*). Various other Douglases of this family succeed each other as sheriffs of Roxburgh during those disastrous times (*q*). The hereditary sheriff of Roxburgh preserved his loyalty to James III., while so many important persons rebelled against that inoffensive prince in the southern districts (*r*). Thus did this family retain this hereditary office during revolutionary times till the days of Camden, who speaks of Roxburgh as having its hereditary sheriff of the family of Douglas, commonly called the sheriff of Teviotdale (*s*). During the reign of James VI., Sir William Douglas was heritable Sheriff of Roxburgh. In the disturbed times of Charles I., Sir Archibald Douglas continued by hereditary right in the

(*m*) The historian of the house of Douglas is positive, that Archibald Douglas, of whom is descended the family of *Cavers*, and sheriffs of Teviotdale, was a bastard of James, the second earl of Douglas. Hist. 93: Nisbet's Heraldry, i. 79; Crawfurd's Peer. 413. Sir Archibald Douglas of Cavers, the sheriff of Teviotdale, witnessed a charter of James I., on the 12th May 1425. Dougl. Baron. 278. He witnessed charters of Archibald, Earl Douglas, in 1330, and in 1333. Dougl. Peer. 592; MS. Title Deeds of the Duke of Roxburgh. Sir Archibald Douglas, the sheriff of Teviotdale, was one of those, who swore, on the part of the Scottish king, to the observance of the truce, for nine years, on the 31st of March 1438. Rym. x. 695.

(*n*) John Ainslie of Dolphington, who succeeded his grandfather, in 1431, married the daughter of Sir William Douglas of Cavers, and heritable sheriff of Teviotdale. Dougl. Bar. 300. Andrew Ker of Altonburn, the founder of the house of Roxburgh, who died before the year 1450, married a daughter of Sir William Douglas, the heritable sheriff of Teviotdale. Dougl. Peer. 592.

(*o*) Archibald, vicecomes de Roxburgh, was appointed one of the conservators of the truce with England, on the 11th June 1457. 11 Rym. 397.

(*p*) On the 10th of December 1482, "before the lordis auditoris comperit Wilzaim of Dowglace "shiref of Tevidale; and protestit against Walter of Trumbul of Gargunnok, who had gert summon "him, and comperit nocht." Robertson's Parl. Rec. 286.

(*q*) Dougl. Peer. 279; Dougl. Bar. 105, 240.

(*r*) Dougl. Peer. 189: Douglas of Cavers, then sheriff of Teviotdale, received several remissions or pardons from James IV. and his parliament, for his conduct on that occasion. Id.

(*s*) Gough's Camden, iii. 294-5.

same office (*t*). He was sheriff at the Restoration, and during the factious reign of William III., Sir William Douglas was again heritable sheriff of this county. This family continued to enjoy this office, till the epoch of the abolition of the heritable jurisdictions. Archibald Douglas the brother of William Douglas of Cavers, was compensated for the heritable sheriffship of Roxburghshire (*u*).

In this ample sheriffwick there were of old various jurisdictions which circumscribed the power of the sheriff, and deducted much from his usefulness. The castle of Roxburgh like most of the king's castles had a constable, who exercised his authority over the whole constabulary (*x*). This policy seems to have continued till the accession of Robert Bruce, and perhaps to a later age (*y*). There were in this shire no fewer than seven *regalities*, which all possessed exclusive jurisdiction. The monks of Kelso had a *regality* which comprehended all their lands and villages, with ample privileges and exclusive powers (*z*). The whole became forfeited to James VI., on the Reformation, who conferred all those jurisdictions on worthless minions. On the forfeiture of Francis Earl of Bothwell, this regality was granted in 1605 by James VI., to Sir Robert Kerr the predecessor of the Duke of Roxburgh (*a*). It was abolished, in 1747 with other jurisdictions which were deemed inconsistent with the administration

(*t*) In 1596 the town of Cavers belonging to Douglas the sheriff of Teviotdale, was ravaged by the English. Border Hist. 689. Yet it appears that the Earl of Roxburgh was sheriff of Roxburgh, during pleasure, in the reign of Charles II. War Book, in the Paper Office. Soon after 1669, the Duke of Monmouth, who then married the heiress of Buccleuch, was appointed the sheriff; and, in 1672, a statute annexed the duke's lands, in Dumfries, to Roxburghshire.

(*u*) List of Claims: He claimed for it £10,000, and was allowed £1,666 : 13 : 4. The Original Return in the Books of Privy Council.

(*x*) In 1241, Alexander Strivelin, constable of Roxburgh, was a witness to a charter of William, the son of Patrick, the Earl of Dunbar. Chart. Kelso, No. 238. Alexander de Chattem, *constabularius de Roxburgh*, was one of the sureties of Richard de Nichete, for the performance of an obligation to the monks of Kelso. Id.

(*y*) Robert I. granted to Bernard Hauden a certain duty, for keeping the castle of Roxburgh. Robert. Index, 12. There was of old a coroner in this shire; but his functions and the persons executing the office are extremely obscure. Rymer, vii. 508.

(*z*) In 1343, David II. granted to the monks of Kelso, that they should possess the town of Kelso, with its pertinents, the barony of Bowden and the lands of Reveden, with their pertinents, "in liberam regalitatem," with exclusive jurisdiction of justiciaries, sheriffs, judges, with other privileges. MS. Monast. Scotiæ. This was confirmed by Robert III. Robertson's Index, 127.

(*a*) Keith, 249.

of justice and the quiet of the people (*b*). But the town of Kelso is still a burgh of barony, the property of the same noble person, with baronial rights. The regality of Sprouston comprehended a large track of land in the east of Roxburghshire. In the 14th century the lands of Moll, of Aldtown-burn, of Blackdean, were included in this regality, though it was nine miles distant (*c*). Robert I. granted to his son Robert Bruce, the *barony* of Sprouston (*d*). David II. gave to Thomas Murray the barony of Hawick, and Sprouston (*e*). This barony, however, appears as a regality in 1357, as we have seen, and in 1747 when a compensation was granted for it, as hath been already shown. The monks of Melrose had an extensive regality, including their various lands and comprehending exclusive powers. By several transmissions this regality came into the family of Buccleuch; and in 1747 the Lady Isobel Scot was compensated for her rights (*f*). The regality of Jedburgh comprehended many lands, with exclusive jurisdictions. Robert I. conferred on Sir James Douglas the town, castle, and forest of Jedburgh (*g*); and, the gratitude of the same king granted to that favourite warrior, that he should enjoy his whole lands, as a regality (*h*). For this jurisdiction, which had descended through a long line of barons bold, the Duke of Douglas was compensated, in 1747 (*i*). The Kers of Fernihirst appear to have been appointed bailies of the monastery of Jedburgh. This bailliery was distinct from the regality; and was bestowed on a hardy race, during an age, when the monks required the protection of steel, rather than the title of parchment (*k*). For this bailliery however, no claim was

(*b*) At that epoch, the Duke of Roxburgh claimed, for the regality of Kelso - - £2,000
For the regality of Sprouston - - - - - - - - 1,000
For the regality of Glasgow - - - - - - - - 1,000
4,000
He was allowed - - - - - - - - - 2,100
List of Claims, &c. The regality of Glasgow comprehended the baronies of Ancrum, Lilliesleaf, and Ashkirk, within Roxburghshire.

(*c*) Douglas Peerage, 591. (*d*) Robertson's Index, 12.

(*e*) Ib. 45. In another charter, he granted the barony of Sprouston to Maurice Murray. Id.

(*f*) Milne's Melrose, 44; Gough's Camden, iii. 295; and List of Compensations. The heritable office of bailie of the regality of Melrose, claimed by Lady Isabella Scot, in so far as the same extends over the lands belonging to her, was valued at £1,200. MS. Original Return.

(*g*) Dougl. Peerage, 183; Robertson's Index, 10. (*h*) Id.

(*i*) List of Compensations. For the regality of Jedburgh-forest the claimant was allowed £900. MS. Original Return.

(*k*) Dougl. Peerage, 419.

made, at the epoch of abolition, by the Marquis of Lothian, as his right was merely baronial, without any profit. The barony of Hawick appears among the many grants of Robert Bruce (*l*). Before the year 1545, it became a regality, which belonged to Douglas of Drumlanrig (*m*), and before the year 1747 it became the property of the Duke of Buccleuch who was then compensated for his right of jurisdiction (*n*). The lordship of Liddesdale seems to have been early the estate of remarkable men. It was forfeited by William Soulis when he plotted against Robert Bruce in 1320 (*o*). It was granted by Robert Bruce to his son Robert, who soon after died (*p*). David II. transferred it to William, Earl Douglas, in 1342 (*q*). After various forfeitures, Liddesdale came to the milder family of Scot; and for its regality the Duke of Buccleuch was compensated in 1747 (*r*). The extensive property of the bishopric of Glasgow, in this shire, was included within the regality of Glasgow. Huntlaw, and a part of the lands of Moll and of Hassendean, which were the property of the monks of Paisley, were all included in the regality of Paisley. By the various abolishments of accident and design, the exclusive authorities, which ought to have been never granted as private rights to particular men, whatever may have been their merits, were restored to the sheriffdom, with its legitimate powers (*s*). Such then were the origin, the degradation, and re-establishment of the sheriffwick. We see in the best times of David I., and his immediate successors, a sheriff acting in his appropriate sphere as the executive officer of the sovereign; but we perceive nothing of an *earl*, who, as his superior, might give orders to the sheriff, as his deputy, whatever fictitious theory may suppose on this curious point of juridical forms.

§ VI. *Of its civil History.*] The area of Roxburghshire undoubtedly formed a district of the Northumbrian kingdom till this county was ceded as a part of

(*l*) Robertson's Index, 5-27 ; Ib., 33-45.

(*m*) Stat. Acco., viii., 526. At that period, the town of Hawick received from the lord of the regality, a charter of incorporation as a burgh of barony.

(*n*) List of Compensations. For this jurisdiction the claimant was allowed £400. MS. Original Return.

(*o*) Robertson's Index, 12 ; Lord Hailes' An., ii., 95-6.

(*p*) Rob. Index, 12. (*q*) Ib., 39, 121,

(*r*) List of Compensations. For this regality the noble claimant was allowed £600. MS. Return.

(*s*) The late Sir Gilbert Elliot, who was described as "Mr. Gilbert Elliot, the son of Lord "Minto," was appointed the first sheriff-depute of this shire. Scots Mag., 1748, p. 155.

Lothian in 1020 to the Scottish king (*t*). By the name of *Saxonia*, it was invaded and wasted by Kenneth, the conqueror of the Picts. There is reason to believe that the castle of Roxburgh was even built by Saxon hands. The Saxon people remained, though the sovereignty was ceded to a new master. Yet the Scoto-Irish people may have made some settlements within the limits of this shire; as they certainly imposed on a few places their descriptive appellations. The Scoto-Saxon people, however, universally prevailed, and remained permanently settled throughout the ample extent of Roxburghshire, under the children of Malcolm Canmore. At the demise of Edgar in 1107, this county, with many lands in the southern and western districts of Scotland, came to Earl David as his apanage. On his succession to the throne, those several territories returned to the crown. At the demise of Edgar, almost the whole extent of Roxburghshire was, not so much in fiction of law, as in fact, the positive property of David its sovereign lord. At that epoch, Teviotdale was probably a dependency of the bishopric of Durham. Yet the monks scarcely enjoyed any temporal possessions within that extensive region. But in the effluxion of a century many changes took place. David distributed many *manors* among his followers, from England; the Morvills, the Soulses, the Corbetts, the Riddels, the Cumins, the Olifards, the Percys, the Berkleys, the Vesceys, enjoyed extensive domains, and established here considerable families. After the foundation of the great monasteries at Melrose, Kelso, and Jedburgh, in that reign, their chartularies recorded the munificence of David, and the numbers of his vassals. In those chartularies we see the settlement of a new people, and in them we perceive that the foundation of every religious house was the establishment of a fresh colony, and before the demise of William the Lion, the monks of the several religious houses became the greatest and the most beneficent occupants of Roxburghshire.

By all those means, the country acquired a very numerous population. Every manor had its village, its church, its mill, and its brewery. The sturdy men of Teviotdale followed David, in 1138, to the Battle of the Standard, wherein they fought by his side, and shared in his misfortune (*u*).

But we attempt in vain to sketch the *border history*, if we do not ascertain the common limits of the adjacent kingdoms, at successive eras of their various fortunes. When Malcolm Canmore ascended his Celtic and unsettled throne, the eastern boundaries of Scotland seem to have run up to the river Tweed, and

(*t*) Bede, l. iv., c. 27; l. v., c. 27; Sim. of Durham; Lel. Collect., t. ii., p. 566; Ib., t. iii., p. 181.
(*u*) Aldred *de bello Standardi*. Lord Hailes' An., i., 77-8.

to the Cheviot mountains (*a*). After many contests with the most vigorous of the English kings, he appears to have left the limits as extensive as he found them. The reigns of Edgar and of Alexander I. were not embittered by border wars. David I. spent much of his age in attempts to enlarge his kingdom on the south. But all his endeavours were frustrated by the concessions of his infant grandson Malcolm IV., who was unable to support his pretensions against the power of Henry II. Yet the old limits of the Tweed and the Cheviot remained unchanged till the fatal captivity of William the Lion laid open the boundaries, and even sacrificed the independence of his kingdom. In 1189 A.D., however, Richard I. restored to that unfortunate king the Castles of Berwick and of Roxburgh; settled the dividing limits according to the ancient land-marks, and fixed the allegiance of Scotland upon its former footing of undoubted independence, though the king may have owed fealty for manors in England. The price of so many benefits, which were beyond calculation, was ten thousand merks (*b*). In the two subsequent reigns of the son and grandson of William there were contests without warfare, and conflicts without change (*c*). The disputes which were occasioned by the succession to Alexander III., but originating in the ambition of Edward I., were not so much about the boundaries as the subjection of the kingdom. After a continued struggle of many years, both of intrigue and warfare, the treaty of Northampton, in 1328, restored the limits and the independence of the nation to the state wherein the relinquishment of Richard I. had placed them in 1189 A.D. (*d*). The release of one prince and the agreement of another, though confirmed by the English parliament, were not obstacles to the ambition of Edward III. Robert Bruce, the restorer of the monarchy, had scarcely breathed his last patriot respiration, when the late war was renewed with more inveteracy and longer continuance. In 1334 Roxburghshire, with almost all the southern counties, were ceded to the English king by Edward Baliol (*e*). Scotland now became a scene of conflict and a country of change during more than forty years. The capture of David II. in 1346 embittered the calamities of an afflicted nation. Despairing, perhaps, during his contests with France, of the subduction of Scotland, Edward tried to secure a part of the southern shires; and he endeavoured to soothe the men of Teviotdale by confirming their ancient privileges on pretence of their fidelity since they had been within his

(*a*) Lord Hailes' An. i. 3, 4. (*b*) Rym. Foed. i. 64.

(*c*) When the parliament of Scotland settled the succession of the crown in 1284, they described the territories of that kingdom to be, the isles, Man, *Tyndale,* and *Penrith.* Ib. ii. 266.

(*d*) MS. In the Pap. Office; Lord Hailes' An. ii. 127. (*e*) Rym. Foed. iv. 615.

allegiance (*f*). The truce which gave dear-bought liberty to David II. in 1357 did not restore Roxburghshire to its ancient obedience (*g*). By a treaty for settling border disputes, which was held at Roxburgh within the church of the Minor Friars during the same year, it was agreed that all lands should remain as they were then possessed (*h*). But the time came at length when the borders were restored to their old limits, and the men of Teviotdale were to return to their natural connection (*i*). Yet the people on the marches between the two kingdoms continued in a state of conflict even after the accession of King James had united the sister, yet adverse kingdoms (*k*).

From inquiries with regard to the limits of the two kingdoms and the state of Teviotdale, the next objects of our attention are the castle and town of Roxburgh; and they seem both to have existed during Saxon times and during the Scottish period of the North-British annals. The castle and town appear plainly to have been appropriate portions of Earl David's apanage, and his favourite residence after his succession as king (*l*). By Earl David's

(*f*) In 1356, Edward III. granted a kind of charter to the men of *Tevydale*. It recited their fidelity; it granted them all the liberties, which they had enjoyed, during the reign of Alexander III., with their old privileges, within the town of Berwick. Ib. v. 854. In 1359, a similar grant was made by the same prince to the men of Liddesdale. Ayloffe's Calend. 222.

(*g*) Rym. v. 846—854; Ib. vi. 426-7. Edward III. retained within his artful grasp the castles of Roxburgh, Jedburgh, and Lochmaben.

(*h*) Id.

(*i*) An ordinance issued from the Scottish council, in April 1385; directing, that the men of Teviotdale, who had come lately from the allegiance of the king of England to the allegiance of the king of Scotland, should retain their possessions, but should be required to show their title deeds. MS. Paper Office, which has been transferred to the Register House at Edinburgh.

(*k*) In 1620, King James issued a proclamation "contra tenentes seditiosos," which recited the inconvenience of *tenant rights* on the Scottish borders, or customary right of holding, in consideration of services on the borders; and which decreed, that no estate should pass, in future, except by *indenture*. Rym. Foed. xvii. 249.

(*l*) Many of the charters of David I., Malcolm IV., of William the Lion, and the two Alexanders, his son and grandson, were dated in the castle of Roxburgh; as we may see in the chartularies, and in the Diplomata Scotiæ, pl. 22—24. David I. granted to the church of St. John, within the castle of Roxburgh, a carucate of his domestic lands in Roxburgh, a toft with its pertinents, and a piece of land *below the castle*, with the oblations of those who resided within it, and also a part of his own oblations when he or his family should reside in the castle; in the same manner as one of his own chaplains ought to have. He gave also to this church of St. John the *tithes* of his *underwood*, and a tenth part "de scpo occisionis," by him in Teviotdale. Chart. Glasgow, No. 205. This charter of the munificent David was confirmed his son Henry, and by his grandson William. Ib. 267—9. Those charters not only show the residence of David I., but carry the mind back to the manners of ages that are long passed.

charter, founding the monastery of Selkirk, he granted "in burgo de Rokes-"burg" a piece of land, the seventh of the mill-profits, forty shillings out of the firm of the town, and a seventh share of the fishery (*m*). We thus perceive Earl David acting as sovereign of Roxburghshire. In that age we see that there was already a *new* town of Roxburgh, owing to the confined site of the old. It was even then remarkable for its *schools*, which long prospered under the guardian eye of the abbot of Kelso (*n*). The town of Roxburgh was in that early age fortified with a wall and ditch (*o*). The town was governed by a provost or alderman and bailies (*p*). As early, if not earlier, than the reign of King William, the town of Roxburgh had the benefit of *fairs*. To the monks of Kelso the king granted that their men residing in Kelso should have the privilege of selling fuel, victual, and other matters in that town, on any day except on the day of *the king's statute fair in Roxburgh* (*q*). This was also called

(*m*) Chart. Kelso, No. 4. In the charter of David I., for removing this monastery to Kelso, he gave the monks in the same *burgh* forty shillings of the firm thereof, and all the churches and *schools* of the same town; a toft near the church of St. James, and another in "*novo burgo*," the lands which were Walter Cymentars, in the mills; twenty chalders of victual, and also the seventh of a fishery. Ib., No. 1. This grant was confirmed by Malcolm IV., and King William. Ib., No. 2, 3. The monks of Dunfermline, Dryburgh and Jedburgh, were studious to obtain grants of money from the firm of Roxburgh, or tofts under its walls, Dalrymp. Col., 384; MS. Monast. Scotiæ, 29; Chart. Dryburgh, No. 107-10. Edward I. and Robert I. both enforced those several grants. Chart. Kelso, No. 179; Ib., No. 192; Ib., No. 193. Edward II., in 1309, issued a graut "de *muragio* concesso "burgensibus de Rokesburgh." Ayloffe's Calend., 120.

(*n*) In 1241, Master Thomas, the rector of *the schools* of *Rokesburc*, was a witness with the *constable* of the *castle*, to a charter of William, the son of Patrick, the Earl of Dunbar. Chart. Kelso, No. 238.

(*o*) Earl Henry granted to the abbey of Dryburgh a toft "extra murum de Rokesburg." Chart. Dryburgh, No. 110, and this grant was confirmed by David I. and Malcolm IV. In a charter of Herbert, bishop of Glasgow, during the reign of David I., some lands of the churches of Roxburgh are mentioned, as lying "*extra fossatum* burgi de Rokesburg, inter Tuedam et Tevieth, versus "abbatiam." Chart. Kelso, No. 412.

(*p*) John Sandal, the chamberlain of Scotland under Edward I., issued a precept to the provost and bailies of the town of Roxburgh, to pay the monks of Dryburgh the said annuity of twenty shillings out of the firm of the burgh. Ib., No. 179. Robert Bruce issued a similar precept to enforce the payment of the same annuity. Ib., No. 192. Alexander Fraser, the chamberlain of Scotland, directed a precept to the alderman and other bailies of that burgh to pay the same annuity to the monks of Dryburgh, in conformity to the grant of King William, and the precept of King Robert. Ib. No. 193. In those records, we see that it was the *chamberlain* who exercised legal authority over the corporation of Roxburgh, and indeed over every other corporation.

(*q*) Chart. Kelso, No. 13. It is to be remarked that Kelso was only separated from Roxburgh by the Tweed. In the age of David I., Roxburgh was one of the *quatuor burgorum*.

the fair of St. James; and as the church had been dedicated to St. James, this circumstance shows that James was the patron saint of ancient Roxburgh (*r*).

In the meantime John of Crema, the legate of Honorious II., held a council at Roxburgh in 1125, the year after the accession of David I., and with his assent (*s*). To this commodious residence came Thurstin, the aged archbishop of York, in 1136, to solicit a truce from David (*t*).

The castle of Roxburgh was used as a State prison as well as a royal residence, during the reigns of David I. and his grandsons Malcolm and William (*u*). In 1306 Mary, the sister of Robert Bruce, was confined "en une "*Kage*," within this castle (*uu*).

It became in other times the joyous scene of many festivities (*x*). Yet had Roxburgh and its castle, amidst the revolutions of those ages, many

(*r*) John of Wilton granted to Walter, the bishop of Glasgow, five merks of silver "in *nundinis* "*Sancti Jacobi* de Rokesburc." Chart. Glasgow, p. 281. In 1134, "dedicatio ecclesiæ Sancti "Jacobi, in Rokesburch." Chron. Melrose, 165. In 1371, and in 1372, there were frequent frays between the Scots and English, at the great fairs, which were held at Roxburgh in August. Border Hist., 347. In 1377, in consequence of a fray at the same fair, the Scots burnt the town of Roxburgh. Ib., 349. At present, the ancient fair of St. James's is held on the very site of St. James's church. Stat. Acc., 580. In 1369, David II. granted to Henry de Ashkirk the *custody of all the measures* of Roxburgh. Robertson's Index, p. 74.

(*s*) Chron. Melrose, 165; Sim. Dun., 252; Wilkins's Concilia, 407; Lord Hailes' An., 65.

(*t*) Ib., 69, and Hagnstad. Pennant from Hollinshed, places this event mistakingly in 1132. The Chron. Melrose, in 1137.

(*u*) In 1134, Malcolm being taken in arms, was imprisoned in the castle of Roxburgh. Chron. Melrose, 165. In 1151, Wimond, an English monk, who disturbed, by insurrections, the salutary government of David, after mutilation was imprisoned in Roxburgh castle. Lord Hailes' An., v. i., p. 88-9. In 1156, Donald, the son of Malcolm, was imprisoned in the same dungeon. Ib., 102; Chron. Melrose, 167. This is the same person who is called Wimond by Lord Hailes. In 1197, Harold, the Earl of Caithness, with his son Torfin were confined here. Lord Hailes' An., i., 135; Chron. Melrose, p. 180. Harold died here in 1206. Ib., 182.

(*uu*) Rym. ii., 2014.

(*x*) In 1239, on the 15th of May, Alexander II. married Mary, the daughter of Ingelram de Coucy, at Roxburgh. Chr. Mail., 204. In 1241, the 4th September, Alexander III. was born at Roxburgh, in the forty-fourth year of his father's age, and the twenty-seventh of his reign. Ib., 206. Alexander III. resided at Roxburgh, in September, 1255, with Margaret, his queen, the daughter of Henry III., whom he had married in 1251; and here they were received with great joy, after a grand procession to the church of Kelso. Ib., 219-221. In 1266, Prince Edward, the brother of Margaret, was here magnificently entertained. Bord. Hist, 155. In 1268, Edward returned to Roxburgh, bringing his brother Edmond with him. Id. The marriage-contract of the princess Margaret, with Eric king of Norway, was settled at Roxburgh. Ib, 161. In 1283, the nuptials of Alexander, the prince of Scotland, with Margaret, the daughter of the Earl of Flanders was here solemnized. Id. Edward III. twice celebrated his birth-day in Roxburgh. Walsingham, 134-146.

changes both fortunate and unlucky. As the safe-guard of that border, it was surrendered to Henry II. by William the Lion, as a part of the high price of his freedom (*x*). The castle was restored by the more generous Richard in 1189 (*y*). Much of the town was burnt by accident in 1207 (*z*). It was fired by King John during his retreat in 1216 (*a*). Meantime, the bishops of Salisbury and Rochester, frightened from England by the interdict, found an asylum in 1209, the former at Kelso, the latter at Roxburgh; and though they lived at their own expenses, William with his usual generosity sent them eighty chalders of wheat, sixty-six of malt, and eighty of oats (*b*). We may thus perceive that the Scottish king abounded more in victual than in money. The war of the succession entailed on Roxburgh a thousand changes (*c*). In 1292, the English Court of King's Bench sat for some time at Roxburgh (*d*); the castle being entrusted to Brian, the son of Alan (*dd.*) In 1295, Baliol agreed that Edward I. should hold the castle of Roxburgh during his war with the French (*e*). It was yielded by the Stewart of Scotland to the king of England in 1296 (*f*). On the 20th of August 1296 the burgesses and whole *comune* of Roxburgh, swore fealty to the ambitious Edward (*g*).

When this politic prince tried to settle Scotland after a bloody struggle, he deemed the castle of Roxburgh of such importance as to be delivered to the special charge of his own lieutenant (*h*). In 1306 Edward I. caused the wife of William Wysman to be shut up in one of the towers of Roxburgh castle (*i*). In March 1312-13, this fortlet was surprised by the enterprise of Douglas, who soon after, by his vigour, expelled the English from Teviotdale, except, indeed, Jedburgh, and some places of smaller consequence (*k*). After various success, Roxburgh, Teviotdale, and Scotland were relinquished to Robert Bruce, by the treaty of Northampton, in 1328 (*l*). Yet it did not remain long in the possession of its ancient owners. In 1334, Edward Baliol, by an insidious

(*x*) Rym. Foed., i., 39. (*y*) Ib., 69. (*z*) Chron. Melrose, 182.
(*a*) Ib., 192. (*b*) Ib., 183.
(*c*) Edward provided for the fidelity of the burgesses of Roxburgh. Ayloffe's Cal., 105.
(*d*) Hailes' Hist. Com. Law, 200. (*dd*) Ayloffe, 105. (*e*) Ayloffe's Cal., 112.
(*f*) Lord Hailes' Ann., 290. (*g*) Prynne, iii., 653. (*h*) Ryley, 505. (*i*) Rym. ii., 2014.
(*k*) Bord. Hist., 241. The fortifications of the town were immediately destroyed by the policy of Robert Bruce. Id. This prince granted to Nicol Fowler the yard of the castle of Roxburgh. Robertson's Index, p. 11. He granted to Bernard Houden a duty for keeping the castle of Roxburgh, on which he seems to have set but little value. Ib., 12. His plan of defence was more effectual than by such strengths; experience had taught him that wasting the country and retiring behind the Forth were the safest shield.
(*l*) Lord Hailes' An., ii., p. 129; Caledonia, i., 819.

treaty, conceded the county of Roxburgh to Edward III., with almost all the southern shires of Scotland (*l*). The rapacity of this prince instantly took seizin of the whole (*m*); and the castle and town of Roxburgh were frequent objects of valorous contests during more than a century and a quarter. In 1342, Sir Alexander Ramsay, one of the bravest and most successful commanders of the age, took the castle of Roxburgh from the English by scalade (*n*). Ramsay was rewarded with the keeping of the castle and with the sheriffwick of Teviotdale, of which the envy of the bastard Douglas bereaved him with his life. The English regained the castle of Roxburgh, on the capture of David II., in 1346 (*o*); and they seem to have retained it, notwithstanding every attempt, till 1460, when James II. lost his life in besieging it (*p*). It was taken after this misfortune by the persevering vigour of Mary of Guilder, his widowed queen. The castle was now levelled to the rock; and the strength being thus razed, the town fell into ruins (*q*). This town, as it was early one of the four burghs, which formed a commercial judicatory, lost this pre-eminence when it fell into the power of the

(*l*) Rym. Foed. iv. 615.

(*m*) Ib. 616. In 1334, Edward III. ordered the fortifications of the town and castle of Roxburgh to be repaired. Bord. Hist. 314. In 1335, Edward kept his Christmas in this castle. Id. There are many writs by Edward III. and his successors, in respect to this town and castle in Ayloffe's Cal. 166.—281. In 1341, Edward III. kept his Christmas at Melrose, while the Earl of Derby his lieutenant, celebrated the same festival in the castle of Roxburgh. During the truce which then existed, Sir William Douglas and three other Scottish knights visited Lord Derby; and there amused themselves with jousting, as they had often met, during a long course of warfare, in hostile conflicts. Border Hist. 332.

(*n*) Lord Hailes' An., v. 2. Border Hist., 332.

(*o*) In 1356, Edward III. resided sometime in the castle of Roxburgh, where Baliol surrendered to him his right to the kingdom of Scotland. Border Hist., 342. In 1380, there is a document showing the property claimed by that prince in Roxburghshire. Rymer, vii., 273. In 1403, Henry IV. granted to the Earl of Northumberland the whole estates of the Douglases in Scotland, with the county of Teviotdale. Ayloffe's Calend., 266.

(*p*) Roxburgh suld not be helped with victual or any other supplies, say the parliament of James II. 12 Parl. Ja. ii., ch. 52. The death of James II. is thus recorded by William of Wyrcester, i., 482. "Rex Scotiæ Jacobus, in obsidendo castrum de *Rokyburhe*, per fractionem bombardi, in *die dominico*, interemptus est."

(*q*) In 1547, the Protector Somerset repaired this ruin so as to make it defensible, and left in it a garrison of 500 men. Bord. Hist., 562. By the treaty of 1550, the King of England bound himself to raze to the ground the town and castle of Roxburgh. Id., 571. On this head, see Gough's Camden, iii. 297; Pennant's Tour, ii. 271; Grose's Antiq. v. i. p. 115; and Hutchinson's Northumberland, v. i. p. 271-7.

king's *adversaries* (*r*). Roxburgh was a place of coinage during the reign of King William (*s*). There was a coinage in the town of Roxburgh by James II., during the siege, perhaps in 1460 (*t*). Old Roxburgh town had an ancient seal, which has been lately engraved by the Antiquary Society of London (*u*). Roxburgh had a bridge which connected the town with the opposite side of the Tweed. It was often destroyed during the inveterate hostilities of those ages, was sometimes repaired, and was afterward so completely destroyed that not a vestige of it can now be traced. At length the site both of the castle and the town, with other rights, were granted by James IV. to Walter Kerr of Cessford, a powerful baron on the borders (*x*).

After Roxburgh, which was undoubtedly the capital of the kingdom during the reign of David I., and the county-town till it was ruined by the sad hostilities of the succession war, the next object is Jedburgh. Bishop Eccred founded a village and a church on the Jed before the middle of the ninth century (*a*). There was a church and a village and a castle at New-Jedburgh at the commencement of the Scoto-Saxon period (*b*). At that epoch the village, which had risen under the shelter of the castle to be a burgh, was a

(*r*) In 1368. the Scottish parliament enacted that, in the room of Roxburgh and Berwick, two of the four burghs should be substituted, Lannark and Lythow. Parl. Rec. 114.

(*s*) Cardonnel Numism. Scotiæ, pl. i. No. 6; on the reverse of this coin there is the name of the coiner with the place; "Raul de *Rocesbu;*" and No. 7. the inscription on the reverse whereof is "Raul on Rocab;" and No. 8. whereon the inscription is, "Raul on Rocebu." Ib. 41.

(*t*) Ib. pl. v. No. 6; on the reverse whereof, and on the interior circle is the inscription, "Villa Roxburgh."

(*u*) Astle's Seals, pl. ii. This seal was appended to the submission of the town to Edward I., in 1296. On this seal are impressed the arms of Scotland, with a bird on either side. The legend is, "*Sigillum commune burgensiū de Rokesburg.*" Ib. p. 13. In 1319, Edward II. issued a precept, commanding that the seal, "quod dicitur *Cocket,*" should be sent from Rokesburg to the Chancery of England. Ayloffe's Cal. 184. This was plainly some commercial or revenue seal; and quite different from the common seal before described.

(*x*) By a charter dated the 20th February 1499, James IV. granted to Walter Kerr, his *familiar esquire,* the castle, with the site of the castle, called *Le Castelstede,* with the capital messuage of Roxburgh, with the right of patronage of the hospital, called *Le Maison dieu* of Roxburgh; and also the right of patronage of the hospital in Jedburgh, called *Le maison dieu;* rendering for the same, if demanded, a rose.

(*a*) Anglia Sacra, i. 698; Hoveden, 418.

(*b*) David I. mentions the castle of Jedworth in his charter to the monks thereof, granting, "multuram molendini de omnibus hominibus Jedworth, ubi *castellum* est." MS. Monast. Scotiæ, 29. Earl Henry repeats his grant in the same words. Ib. 27. Some of Earl Henry's charters are dated at Jedworth. Dipl. Scotiæ, pl. 20. The same expressions are re-echoed in the charter of King William to the same monks.

town of the regal demesne, where Malcolm IV. delighted to dwell (*c*), and where he finished his youthful career in 1165 (*d*). Jedburgh and its pertinents, together with other lands which were to yield yearly £1000, were settled on Johanna, the sister of Henry III. of England, when she married Alexander II. in 1221 (*e*). In the great tower of Jedburgh castle, Alexander III., lying sick, admitted to his presence various nobles, who witnessed John Cumin resign certain lands to the bishop of Glasgow (*f*). To the same king was born at Jedburgh, in 1263, a son, who was baptised Alexander (*g*). In 1285 the same unfortunate king, bereaved of all his children, married Joletta, a daughter of the Count de Dreux, at Jedburgh, with uncommon festivities (*h*). But sad events were at hand. Alexander III. died soon after, and his demise was followed by the succession war. In 1291 the castle of Jedburgh was committed by the ambitious Edward to Brian, the son of Alan (*i*). Hostilities now commenced, which, as they lasted for several ages, involved Jedburgh in bloodshed and devastation. The monks found themselves by repeated strokes of hostility so completely ruined and so grievously unsafe, that the charity of Edward I. was induced to send them in 1300 to several monasteries in England for brotherly subsistence (*k*). In 1305 the castle of Jedburgh was deemed of such importance as to be committed to the English king's *locum tenens* (*l*). What had belonged to David I. of Jedburgh was supposed to be the property of Robert I.; and this prince in 1324 granted to Sir James Douglas the town of Jedburgh, the castle thereof, the forest of Jedburgh, with Bonjedworth (*m*). The whole was relinquished to the Scottish king by the treaty of Northampton, which was confirmed by Parliament. Yet this security did not save it from the rapacity of Edward III. Edward Baliol surrendered to the English king in

(*c*) David I., we have seen above, granted to the monks of Jedburgh the *multure* of *his mill* at that place. Earl Henry confirmed this and granted to them, "decimis *villarum* totius *parochia*, scilicet, *quarum* Jedworth, Langton, Nisbet, Crailing, &c. In several charters of Malcolm IV., William and Alexander II., Jedburgh is called Our Burgh. Malcolm IV.'s charters are often dated at *Jedworth*.

(*d*) Chron. Melrose, 169. (*e*) Rym. Foed. 1. 252.

(*f*) Chart. Glasgow, 261. (*g*) Chron. Melrose, 225.

(*h*) Border Hist. 163; Lord Hailes' An. i. 183—307. His lordship repeats the story of an *apparition*, which danced at the festivities on that occasion. Fordun says it was a *ghost*, and Bocce a *skeleton*. We may suppose that it was a *guisart* or masker.

(*i*) Ayloffe's Calend. 105. In 1295, the castle of Jedburgh was delivered in charge to Thomas of Burnham. Ib. 111, and it was committed to Hugh of Byland, in 1296. Ib. 113.

(*k*) Antiq. Repertory, ii. 54-5. (*l*) Ryley, 505.

(*m*) Robertson's Index, 10.—The same king gave a charter to the *town* of Jedburgh. Ib. 12.

1334, all that had been granted to the gallant Douglas (*m*). Such were the extent and fastnesses of the forest of Jedburgh during those eventful times, that it furnished the most secure retreats for individuals and for armies (*n*). The captivity of David II. in 1346 delivered Teviotdale into English hands. This country was recovered in 1384 by the bravery of William Douglas, who was aided by the zeal of the people (*o*). But the castle of Jedburgh remained in the power of their *old adversaries* till 1409, when it was taken by the men of Teviotdale, and razed to the ground (*p*). Yet the town remained. Jedburgh probably became the shire-town after the fall of Roxburgh, under the influence of the Douglases. While both remained in the allegiance of England, Hawick was the polluted seat of the sheriff. When the first charter was conferred on Jedburgh is uncertain; as its ancient muniments were destroyed while destruction was the great object of hostility. During the reign of David I. Jedburgh was a town in the royal demesne as we have seen. Before the demise of Alexander III. it was certainly a corporation, though the component members cannot be exactly specified. On the 20th of August 1296, the whole *community* of Jedburgh swore allegiance to Edward I. (*q*). This town felt its full share of the miseries of subsequent times. It was still the property of the crown at the accession of

(*m*) Rym. Foed. iv. 615. Robert de Maners was soon after appointed keeper of the town of Jedburgh; and William de Pressan keeper of the castle, and forest of Jedburgh. Ib. 617.

(*n*) Border Hist. 304—331, 333. (*o*) Ib. 354.

(*p*) Hearne's Fordun, 1173. In 1334, Edward III. granted to Henry Percy the castle, town, and constabulary of Jedburgh. Ayloffe's Calend. 149. In 1337, Edward III. issued a writ of enquiry, about *the houses built in the castle of Jedburgh.* Ib. 173. In 1352, Edward III. granted to Henry, the son of Henry Percy, the castle and constabulary of Jedburgh, Ib. 210. There was an agreement in 1403, for delivering up Jedburgh, by the Earl of Northumberland to the King of England. Rym. viii. 364. Robert III. granted to George, Earl of Angus, the sheriffship of Roxburghshire, with the town, castle, and forest of Jedburgh. Robertson's Index, 139. We may see in the before-mentioned grants by those several kings, the true cause of the enmity between the gallant families of Douglas, and of Percy. In 1558, the forest of Jedburgh accounted in the Exchequer for 300 l. a year; but this ceased to be so, owing to relaxed management. In 1610, Jedburgh, with other lands, were erected into a lordship for Alexander Earl of Home, for the payment of a blench duty of 266 l. 13s. 4d.; but this duty was also soon unaccounted for. In 1519, there existed a domestic feud about the bailliewick of Jedburgh forest, between the Earl of Angus and Sir Andrew Ker of Ferniehirst. Bord. Hist. 509. We have seen that the Duke of Douglas received, in 1748, 900 l. as compensation for *the regality* of Jedburgh forest.

(*q*) Prynne, p. 655. The corporation, which, on that occasion, submitted to Edward, consisted of John Dameson, the *alderman*, and Symon de Ramington, Huwe de Lindsey, Robert le Marshal, Robert Fremansone, Rauf le Spicer, Stevene le Mareschal, Thomas le Tayllur, Simon le Tayllur. Richard le Clerk, Ewy le Clerk de *Jeddeworth* [the town clerk], Hugh de Watton, the burgesses. The arms on the common seal of Jedburgh were: Azure, an unicorn tripping, argent, ringled, maned, and horned. Nisbet's Heraldry, v. i. p. 311.

Robert Bruce, who gave a charter to the town of Jedburgh (*q*). It was granted by that grateful prince to his gallant companion in arms, Sir James Douglas; and after it had been regained from the strong gripe of their *old adversaries* it continued long the property of the same family (*r*). When the burghs were taxed in 1556, Jedburgh appears to have ranked, as to opulence, with Kirkcudbright, Wigtown, Whithorn, Dunfermline, and Elgin (*s*). In the monthly assessment of 1695, Jedburgh was the sixteenth in wealth of the sixty-five burghs paying £102 out of £10,000 (*t*). The revenue of the corporation, in 1788, as the same was reported to parliament, was £309 13s. 7d. sterling (*u*).* [In 1882, the valuation of Jedburgh parish was £24,753 13s. 0d; Pop., 1801, 3834; 1881, 5147.—*Ed.*] The amiable poet, Hamilton, laments, with fond recollection,

"——— Jeda's ancient walls, once seat of kings."

In Roxburghshire, there are also the market towns of Kelso, Melrose, Hawick, and Yetholm. When the monastery was removed to Kelso from Selkirk, David I. conferred on the monks this village, with its lands and waters, free from all exaction (*x*). In May 1138 was here founded the church, the same year wherein the church of Holyrood was built (*y*). The town of Kelso shared the fate of the abbey during the hostile conflicts between the kindred nations, in being often plundered, and sometimes fired (*z*). David II. erected the town of Kelso, the barony of Bowden, and other lands of the monks, into a *free regality* (*a*). This was converted, in 1607, into a lordship in favour of Robert Kerr, Earl of Roxburgh (*b*).

(*q*) Robertson's Index, 12. It had a parliamentary ratification, on the 19th December 1597. Unprinted Act. In June 1640, its Monday's market was prohibited by Parliament; and the same Parliament conferred on it two fairs, yearly. On the 4th of September 1672, a *correctionhouse*, for Roxburghshire, was here ordained to be built. Stat. that date.

(*r*) Robertson's Index, 139.

(*s*) Gibson's Hist. Glasgow, 87. (*t*) Ib. 103, (*u*) Report App. E.

(*x*) Chart. Kelso, No. 4. This grant was confirmed by Malcolm IV. and William. Dipl. Scotiæ, pl. xxiv. and Chart. Kelso No. 3. William confirmed to the men of the monks the right of holding a market here. Chart. Kelso No. 13 and 384. In 1323, the burgesses of Kelso made an acknowledgement in the Abbot's Court, that they had done wrong in making new burgesses without his authority. Ib. 456. David II. granted to the Abbot a *free market* here. Robertson's Index, 39. Kelso has, at this day, a weekly market on Friday, and twelve high markets in the year, besides fairs. Stat. Acco. x. 587; Agricult. Survey, 207-8. [Pop. of Parish, 1801, 4196; 1881, 5235].

(*y*) Chron. Melrose, 165.

(*z*) The years 1522, 1542, 1544, were particularly fatal to Kelso. Border Hist. 514-540, 550.

(*a*) Charter of David, at the end of the chartulary of Kelso.

(*b*) This overture was dated on the 10th Dec. 1607, for the payment of a blench duty of 400 marks, which were accounted for in the Exchequer. There were afterwards several contracts between the King and the Earl of Roxburgh, modifying the original contract. By a new contract, dated the

[* See also Jeffrey's Roxburghshire, vol. II. p. 97, etc].

Old Melrose may be traced back to an early age of Saxon times. When David re-established the monastery at Melrose, in 1136, he granted to the monks the villages and the lands of Melrose (*c*). The establishment of the monastery naturally gave rise to a town, whereof the abbot was the superior; and the town naturally shared in the fortunes of the monastery during the revolutions of many ages (*d*). James III., when yet an infant, was crowned here in 1460. After the reformation the town, monastery, and regality came, by a grant from the crown, to Sir Thomas Hope, who preferred, however, the title of Haddington (*e*).

Hawick is a baronial town, which belongs to the Duke of Buccleuch, who was compensated for its *regality* in 1748. During the thraldom of Roxburgh it was the shire-town, when it was indelibly stained by the baseness of the Knight of Liddesdale. As a border town it was often involved in ruin during ages of hostility (*f*). In peaceful times it flourishes under its beneficent lord (*g*).

Yetholm is also a privileged town, with its weekly market on Wednesday, and its annual fairs, which collect the neighbouring people for mutual traffic; and where *tinkers* and *gipsies* abound, from the vicinity of the Cheviot hills (*h*).

It is not easy to trace the history of that district of Roxburghshire called Liddesdale beyond the commencement of the Scoto-Saxon period. Earl David was undoubtedly the sovereign lord of this narrow district at the commencement of the twelfth century, while Henry I. reigned in England and Alexander I. in Scotland. Among the many English families who followed the fortunes of David, Ranulph de Soulis, a Northampton Baron, came with that beneficent

10th July, 1637, the Earl surrendered to the King the tithes of twenty kirks; and the King restricted the blench duty to 100 marks. The Duke of Roxburgh received, in 1748, 1,300 l. as compensation for the regality of Kelso.

(*c*) Chart. Melrose, No. 54.

(*d*) In 1322, the town and monastery were plundered by the English under Edward II., who killed the abbot and some of the monks. Milne's Melrose, 19; Border Hist. 271. It was also spoiled by Richard II., who burnt the monastery. Major, l. vi; Milne, 20.; Border Hist. 355. In 1545, the town was more than once plundered by the English, who were in their retreat defeated on Ancrum-Moor, Border Hist. 552-3-4.

(*e*) Milne, 44. This town has a weekly market on Saturday, and four fairs in the year. [Pop. of Parish, 1801, 2654; 1881, 11,131]. The abbey lands of Melrose, and the lands of Tyningham were erected into a lordship, on the 29th of August 1609, to Sir Thomas Hope, paying a yearly feu duty of £1,148 7s. 2d.; and a blench duty of £65 6s. 8d. amounting to £1,213 13s. 10d. which were accounted for in the Exchequer.

(*f*) Lord Sussex burnt it, in April 1570. Border Hist. 635.

(*g*) It has a weekly market on Thursday. Agricult. Survey, 208. It has fairs on the 18th November, and 17th of May; and it has a *tryst* for cattle between the Falkirk and Newcastle fairs. Ib. 207. [Pop. of Burgh in 1881, 16,184]. (*h*) Stat. Acco. xix. 613. [Pop. of Par. 1801, 1011; 1881, 1045].

prince into Scotland (*i*). While David gave Annandale to Robert Bruce, he conferred Liddesdale on Ranulph de Soulis; and while Bruce built the castle of Lochmaben, Soulis erected the fortalice, which afterwards gave rise to the village, that acquired from it the name of *Castleton*, the metropolis of the parish, comprehending Liddesdale. Ranulph de Soulis had a brother William, who followed him into Scotland, but died before him, leaving issue Ranulph and Richard (*k*). Ranulph succeeded his uncle, and inherited Liddesdale with his various lands; and confirmed his several charters according to the practice of the age. The second Ranulph de Soulis now reigned lord of Liddesdale till the fatal year 1207, when he was assassinated within his own castle by his own domestics (*l*). He was succeeded in the territory of Liddesdale by Fulco de Soulis, who was undoubtedly the heir of the estate, though it is not certain that he was the son of the assassinated Ranulph (*m*). Fulco was succeeded by his son Nicholas de Soulis, who was *pincerna regis* under Alexander II. (*n*). He continued in the same office under Alexander III., and died some time before the year 1270. In this year, William de Soulis, the son of Nicholas, succeeded him, as well in his office of pincerna as in his estate; and was knighted by Alexander III. at Haddington. William de Soulis acted during those eventful times as one of the *magnates Scotiæ* (*o*), but he died before the year 1305; and he was succeeded by

(*i*) Ranulph de Soulis, before the year 1147, granted to the monks of Jedburgh not only the church of Liddesdale, the "Ecclesium de Valle Lidel," and a carucate of land in Nesbit, but the church of Dodington, near Burton in Northamptonshire. Here was the original seat of the Soulises. Ranulph de Soulis was a witness to David's charter of Annandale to Robert Bruce; and he was a witness to several other grants of David I. He witnessed several charters of Malcolm IV., and he was *pincerna* to his brother King William. Chart. Newbotle, No. 45. As he died without issue, he was succeeded by his nephew, Ranulph de Soulis, the son of William de Soulis, who mentions in his charters to Newbotle, his *uncle* the *pincerna*. Chart. Newbotle, No. 46.

(*k*) William de Soulis left two son, Ranulph, the eldest: and Richard, the second, who both appear conspicuous in charters.

(*l*) Chron. Melrose, 182, The learned Ruddiman, mistakingly, applied this assassination to the first Ranulph de Soulis. Index Nom. Dip. Scot. in Vo. Sulis.

(*m*) The series of heirs in those times is traced with sufficient accuracy in the Charters of Confirmation, which the monks were studious to obtain, when a new heir appeared, from an ancestor deceased. The first Ranulph de Soulis granted a carucate of land in Gilmerston, to the monks of Newbotle. Chart. Newbotle, No. 45. The second Ranulph confirmed the grant of his uncle. Ib. 46, Fulco de Soulis confirmed this charter of the second Ranulph, after his decease. Ib. 47.

(*n*) He was one of the faction of the Comyns, who during the minority of Alexander II. was removed from the government, by the influence of Henry III. Rym. i. 566.

(*o*) There were two Soulises, who sat as *barons* in the great parliament at Brigham, in 1290: William de *Soulys*, and John de *Soules*. Rym. Foed., ii. 471. William, the eldest of these brothers,

his son William, who was then under age, and lived to plot against Robert Bruce in 1320 (*p*). He forfeited, by his attainder, the lands of Liddesdale, the barony of Nisbet, which was the ancient possession of his family, with Langnewton, Moxton, and Caverton in Roxburghshire, with other lands in different counties (*q*). Such was the influence of the Soulises, as lords of Liddesdale, that their armorial bearings were adopted in aftertimes as the *feudal arms* of their ancient territory (*r*).

The restorer of the Scottish monarchy now conferred the lands of Liddesdale, "which William Soulis had forfeited," on his natural son Robert Bruce (*s*): and he probably retained this munificent gift till his death on the unlucky field of Dupplin, where he bravely fell, like the genuine son of a gallant father (*t*). Liddesdale was now to pass into another family of equal valour and of happier omen. At that sad epoch rose up among conspicuous men William Douglas, who is celebrated by the historians of that age as the *Knight of Liddesdale*, the *flower of chivalry* (*u*). He was present at the surprise of Annan in December

died before the year 1305. John de Soulis fell at the battle of Dundalk with Edward Bruce in 1318. He probably left a son, who obtained by the name of Sir John de Soulis, from Robert Bruce in 1321, the lands of Kirkandrews, and the barony of Torthorwald. Robertson's Index p. 5.

(*p*) Riley's Placita, 373-5, for the fact, that William de Soulis, who was knighted by Alexander III. and William de Soulis who was attainted in 1320, were quite different persons.

(*q*) Robertson's Index, p. 3, 10, 11, 12, 13, 21, 22, 39.

(*r*) William de Soulis, in 1278, carried "Ermine, three chevrons gules," which were afterwards quartered by the Douglases for the title of Liddesdale. Nisbet's Heraldry, part I. p. 19—158. The Nicholas de Soulis who entered into competition for the crown was of a different family, as his arms were different. Astle's Scots Seals, Pl. iii. No. 11; and see his genealogy from a bastard daughter of Alexander II. Rym. ii. 577.

(*s*) Robertson's Index, p. 12.

(*t*) The battle of Dupplin was fought on the 12th of August 1332.

(*u*) He was the bastard son of the *good* Sir James Douglas, who was slain in Spain during the year 1331. Hume of Godscroft, the historian of the Douglases, is positive, "that he was the son "natural to Sir James; but not the brother of John of Dalkeith, as some say." Hist. 62. Crawfurd and Douglas the genealogists, are clear however, that *the knight of Liddesdale* was the son of Sir James Douglas de Laudonia, the second cousin of *good* Sir James. Here is the puzzle; the two fathers were both Sir James, and the two sons were both named William. Lord Hailes inclines to the opinion of the two genealogists. But, facts must decide, (1) William, the son of *good* Sir James, was taken prisoner in March 1332-3, by Sir Anthony Lucy, near Lochmaben; and soon after, Edward III. commanded that William Douglas de *Polerte* [Polbothy] should be imprisoned in *irons;* this harsh mandate is dated the 28th of March 1333. Rym. iv. 552. His rival would have been called William Douglas *de Loudonia.* This, then, is the first difference between those two competitors for distinction. (2) The Knight of Liddesdale *being thus in irons,* could not be in the battle of Halidon, which was fought on the 19th July 1333, and wherein

1332, when Edward Baliol was obliged to flee from a kingdom which he had so lately usurped. The Knight of Liddesdale seems to have been now appointed Warden of the West-Marches. In this character he appears to have come out to oppose the incursion of Sir Anthony de Lucy, when the valorous knight was overpowered and taken. Having obtained his liberty, he again appeared, in April 1335, among the Scottish barons, who were attached to the unfortunate son of Robert Bruce. He now performed the most gallant feats. By his valour and perseverance he expelled the English from the whole country of Teviotdale except the castle of Roxburgh. The hardy knight seems to have supposed that he had obtained a right to the country which he had gained by his valour. By a still greater effort of skill and enterprise, Alexander Ramsay, of Dalhousie took the impregnable castle of Roxburgh by escalade on the 30th of March 1342, and for this important service to the state he was appointed sheriff of Teviotdale, an office to which the Knight of Liddesdale thought himself entitled. From these events, envy, and hatred steeled the heart of the valorous knight; and he was now prompted by revenge to assassinate Ramsay, whom he had once esteemed for his virtue and admired for his bravery. But a distracted government found it necessary to promote rather than to punish this

William Douglas de Laudonia was taken prisoner. Douglas Peer. 489 ; Lord Hailes' An. ii. 303-7. But, the Knight remained two years a prisoner, from March 1333. Lord Hailes' An. ii. 161—376. This, then, is the second fact, which distinguishes the two Knights. (3) William Douglas de Laudonia married *Margaret* the daughter of Sir John Graham. Douglas Peerage, 489. Now, the widow of the true Knight of Liddesdale was called *Elizabeth,* as we know from Rymer, v. 760. where there is a precept of Edward III., dated the 10th October 1353, after the death of the Knight, "De tractando cum *Elizabetha,* quæ fuit uxor Willielmi Douglas super deliberatione in manum nostrum del *Hermitage,*" which she held since her husband was slain. She was again called *Elizabeth,* when Edward III. married her to his *valette* Hugh Dacres, and gave her the castle of Hermitage and the valley of Liddesdale for life. Ib. 818. Here. then, is the third fact which demonstrates that William Douglas of *Polbothy,* the husband of *Elizabeth,* was the true Knight of Liddesdale, and not William Douglas of Laudonia, who married *Margaret* Graham. (4) The Knight of Liddesdale was Douglas of Polbothy, in Moffatdale, (not Polerte). Edward III., when he set the knight at liberty, and ordered his estates to be restored, also restored to him *Polbothy,* in Moffatdale, (not Polerte), as we see in Rymer, v. 740. Now, Robert I. granted to Sir James Douglas, the putative father of the Knight in question, the lands of Polbothy in Annandale. Robertson's Index, 10. Here, then, is the fourth coincidence, which points clearly to the true Knight of Liddesdale. Neither Crawfurd, nor Douglas, nor Lord Hailes, seem to have ever looked into Rymer for those decisive documents, which answer completely this perplexing question concerning the *two Sosias* of Liddesdale. It thus appears, then, that the bastard Sir William Douglas of Polbothy, was the real Knight of Liddesdale,

"Who hast with knightless guile, and treacherous train,
"Fair knighthood foully shamed."

hardy assassin; and he was invested with the important charges of sheriff of Teviotdale and keeper of Roxburgh castle (*a*). The Knight of Liddesdale, going into the field of Durham, was taken prisoner with David II. on the 20th of October 1346. The ample rewards which were bestowed by Edward III. on John Copland for the capture of David, and on Robert Bertram for the capture of Douglas, evinced the importance that was annexed to both those prisoners. The English entering the Scottish borders, in January 1346-7, took the castles of Roxburgh and Hermitage. At this disastrous crisis, came upon the stage William Douglas, the son of Archibald Douglas, called *Tyneman*, the regent of Scotland, who had been overpowered and slain at the battle of Halidon-hill in 1333. Returning from his education in France, soon after his father's fall, he became heir of his uncle Hugh and of his uncle the good Sir James in 1342 (*b*), and placing himself at the head of the people thus committed to his guidance, young Douglas expelled the English from Douglasdale, and seized Ettrick Forest. Copeland the English governor of Roxburgh castle coming out to oppose Douglas's entrance into Roxburghshire, was defeated, and the men of Teviotdale gathering round their chief, enabled the young warrior to expel their adversaries. David II. and the Knight of Liddesdale were still prisoners since the battle of Durham, and Edward III. being engaged in enterprises beyond his strength, the thraldom of Scotland and the conquests of France, began in 1351 to treat with his opponents and prisoners. With David and the Knight of Liddesdale he entered into mysterious negotiations for the liberation of the one and the freedom of the other (*c*). But he then failed in both his objects. Edward III. at length began a still more singular intrigue with the Knight of Liddesdale. The King agreed to give the Knight his freedom, with Liddesdale and Hermitage castle and other lands; the Knight agreed to hold the

(*a*) Lord Hailes' An., ii. 310. It is an important fact which ought not to be forgotten, that young Sir William Douglas, the chief of the Douglases, had been appointed *leader of the men of Teviotdale* on the 28th of May 1342, when the bastard Douglas thus pretended to be the sheriff of Teviotdale. It is a fact still more important, that this chief of the Douglases in the same year 1342 obtained a grant of *Lyddal*, which had remained in the crown from the death of the bastard Robert Bruce in the battle of Dupplin. Robertson's Index, 39.

(*b*) On the 28th of May 1342, William Douglas obtained a charter from David II. giving him all the lands and rights of his uncle Hugh and his father, the regent, "una cum *ducatus hominum* "vice-comitatum de Roxburgh, et Selkirk." Hume's Hist. Douglas, 79. Crawfurd's Peerage, 95. William Douglas, who was thus made the leader of the men of Roxburgh and Selkirk, was the first of the Douglases who enjoyed a Peerage, being created Earl of Douglas at Edinburgh by David II. in 1357. Robertson's Index, 31.

(*c*) Rym., v. 737; Lord Hailes' An., ii. 224.

whole of the English King, whom he engaged to serve against all parties, with scarcely an exception of his own sovereign and country; and the knight, moreover, promised that the English should always have free entrance through his lands into Scotland (*d*). This scandalous contract was immediately fulfilled by the freedom of the knight, who gave hostages for his fidelity, and by the delivery to him of Liddesdale, and other lands, with Hermitage castle. But he did not long enjoy the price of his dishonour. Hunting within Ettrick-forest in August 1353, he was slain by order of Sir William Douglas, his father's nephew, and his own god-son, on whatever motive (*e*). Douglas was too well acquainted with the intrigues of Edward III. not to know his disgraceful compact with the Knight of Liddesdale. He was probably indignant that his uncle's bastard should have presumed to make such a compact; that a bastard should dare to interfere with the pretensions of the house of Douglas, raised that indignation into wrath. This was the motive on which the knight had assassinated Ramsay by a cruel death. But Douglas was the leader of the men of Teviotdale; he was the warden of the marches; he was the justiciary on the south of the Forth; and in any one of those characters he might have justified the putting to death of a known traitor, while the state was unsafe, according to the wretched logic of an immoral age. Douglas was above question. As of Henry VIII. it may be said of Douglas the first Earl, that he never spared man in his anger, nor woman in his lust. The knight of Liddesdale left no son either to revenge his fall or to be tinged by his baseness (*f*). Edward III. immediately took the knight's widow into his special care, by giving her Hermitage and Liddesdale for life; and by marrying her soon after to his valette, Hugh Dacres, the brother of

(*d*) Rym., v. 738. "Indentura super liberatione Willielmo Douglas et retentione in servicio regis." But the castle of Liddel with the seigniory thereof, were reserved to the Earl of Kent, as heir of Lord Wake. This remarkable indenture is dated the 17th July 1352. On the 24th of the same month, Edward III. issued a precept commanding the delivery of the castle of Hermitage with the manor of Hermitage and its pertinents to William Douglas, with Liddesdale, the half of the town of Moffat, and Corhend, Newton, and Granton, Polbothy, in the head of Moffatdale. Ib., 740. Such were the wages of corruption, whereby Edward III. gained and David II. lost the dubious services of *the knight of Liddesdale.*

(*e*) [Hume] Godscroft, the historian of the Douglases, quotes an *old song* to prove the adulterous passion of Sir William Douglas's wife for the knight of Liddesdale. Hist. 77. It is more than probable that lady had never seen the knight of Liddesdale, and a virtuous wife might warn such a person of her husband's wrath. It is, however, certain that Douglas repudiated his first wife.

(*f*) The peerage makers have gone out of their way, indeed, to trace the Earl of Morton's genealogy through *the knight of Liddesdale*; but, as I have shewn, they confounded William Douglas of Lothian with William Douglas of Liddesdale, though they were warned of the right road by the pointed finger of [Hume] Godscroft.

Lord Dacres. He did this upon his late policy of retaining by his own creatures the possession of that country and castle (*g*). Yet the English king lost his insidious aim. During the protracted negotiation for the freedom of David II., Douglas hovered over Hermitage castle; and seeing a truce expire he pounced upon his prey (*h*). Earl Douglas, who closed a long and splendid career in 1384, transmitted Hermitage castle and Liddesdale to his heir. His seal remains; but I do not perceive that it bears, as Nisbet intimates, one particle of the arms of Soulis (*i*). It was probably *the Knight of Liddesdale* who assumed the armorial bearings of the Soulises as the feudal arms of Liddesdale; being a bastard he could not, by the transmission, derive any arms from any family. Liddesdale came by descent from the first Earl, who snatched it from the grasp of Edward III. to Sir James Douglas, his gallant heir, who closed his short but glorious life in the sharp conflict of Otterburn. In 1398 the lordship of Liddesdale was transferred from the Earl of Douglas to George Douglas, the Earl of Angus, the youngest son of the first Earl of Douglas and husband of Mary, the daughter of Robert III. (*k*). In this family of Angus, Liddesdale continued long the scene of its turbulence. In 1492 the Earl of Angus was obliged by the king to exchange Liddesdale with Patrick Hepburn for Bothwell (*l*). The adherence of the Earl of Bothwell to the Douglases brought on the forfeiture of Liddesdale in the subsequent reign.

(*g*) Rym. v. 760-816. In 1358, Edward III. issued another protection for *Margaret* de Dacres and her tenants in Liddesdale. Ayloffe's Cal. 222.

(*h*) The following dates it may be well to attend to. On the 3rd of October 1357, the peace was concluded at Berwick, whereby David II. obtained his freedom, at the end of eleven years' captivity. Lord Hailes' An. ii. 244. On the 4th of February 1357-8, Sir William Douglas of Douglas was created an Earl. Robertson's Index, p. 31. On the 6th of June 1358, Edward III. issued a commission, "De *altercatione* super captione castri del *L'ermitage*." Rym. vi. 85. William Douglas took the castle of Hermitage *during a truce*, said Edward: Douglas said *not*; and it was left to arbitrators to settle the fact. But we hear no more of this *altercation*. Edward III. had a greater object in view. Finding it impossible to obtain Scotland by force, he at length tried to get it by fraud; he made David II. his tool; and he endeavoured to gain Douglas, the most powerful man of his country in his age. The English estate of Douglas was restored by the treaty. We see Margaret, the Countess of Douglas, making a pilgrimage to the tomb of Becket, in 1359, with twenty horsemen. Ib. 133. The Earl himself also travelled into England, during the year 1366. Ib. 534, and they were followed by Sir James Douglas, the antagonist of Hotspur, who travelled through England in 1372, with a retinue of a dozen horsemen. Ib. 746. The Knight of Liddesdale was even now, by studious silence, covered with "sweet oblivious antidote." In 1371, we may perceive, in the Chartulary of Coldingham, 16, that Earl Douglas calls himself *Lord of Lydal.* His eldest son, Sir James, was also called *Lord of Lydesdaile.* Hay's Vindication of Elizabeth More, p. 54; Robertson's Index, p. 122.

(*i*) Astle's Scottish Seals, pl. iv. (*k*) Robertson's Index, 139.

(*l*) Godscroft, 237. The king confirmed this exchange in 1492. Id. Dougl. Peerage, 85. Parl. Rec. 658.

It was, however, restored, as we learn from Knox. It was at Hermitage castle where Mary Stewart visited Bothwell in October 1566, when he was wounded in discharging his duty as warden of the marches; and when she returned to her bed of sickness at Jedburgh. Liddesdale was again forfeited by the notorious Bothwell, and Liddesdale, after other grants and other forfeitures, finally came into the possession of the gallant predecessors of the Duke of Buccleuch.

Within Liddesdale there existed in early ages three principal castles, the several seats of very powerful barons. At the point where the Liddel joins the Esk, says Camden, stood formerly Lid-dal castle. It was obviously built on a commanding peninsula, which was once the site of a Roman strength; and is even now known by the name of *the mote*. From Malcolm IV. *the barony of Liddel*, but not Liddesdale, passed to Henry II. In 1173, William the Lion, during his incursion into the north-west borders of England, took the castle of Liddel (*a*). In 1346, David II., in marching forward to his defeat and captivity, sacked the castle of Liddel; and executed Selby, the castleward, on whatever pretence of retaliation or enmity (*b*). When Edward III. gave Liddesdale and Hermitage to William Douglas in 1352, there were reserved, as we have seen, the castle of *Liddel*, with the seigniory thereof, to the Earl of Kent as the heir of Lord Wake (*c*). It has since become the mere object of antiquarian curiosity, as a Roman remain and a baronial *mote* (*d*). The castle, which was built higher up on the east bank of the Liddel, at Clintwood, near the site of Castleton, is of more recent construction. As it was founded by Ranulph Soulis it continued long the impregnable residence of that potent family. It was in this castle that Ranulph Soulis, the younger, was assassinated by his own domestics in 1206 as we have already seen. From this sad epoch the Soulises, giving up their polluted mansion to "wasting years," founded a new residence on the northern side of Liddesdale, near an ancient hermitage, about the year 1243, to the discontent of Henry III., a querulous neighbour (*e*). It thus continued from that age till the distractions of the succession war, when

(*a*) Chron. Melrose, 173; Border Hist. 96.

(*b*) Scala Chronica; Lord Hailes' An. ii. 213. (*c*) Rym. v. 738—40.

(*d*) Roy's Rom. Antiq. pl. xxiii.; Hist. of Cumberland, ii. 528-9. See Gilpin's Picturesque Tour, i. 35. It commands, says he, a very extensive view, which presents, if not a picture, at least a map, well adapted to military speculation.

(*e*) Ford. l. ix. c. 60. Lord Hailes mistakingly supposes this castle to have been then built by Walter Comyn, the Earl of Monteith. An. i. 159. Yet, the property of Liddesdale was not in the Comyns, but the Soulises; and this very castle was claimed by William Soulis in 1306, as his property, by descent. Ryley's Placita, 373.

Edward I. granted Liddesdale and Hermitage castle to John Wake, who died, seized of both, in 1300 (*f*). The demise of Edward, and the accession of Bruce, restored William Soulis to his right, which he forfeited by his treason in 1320. Such is the history of the castle of Hermitage, the name whereof is still to be searched for amid the obscurities of ancient times (*g*). The castle, with the country, now came by grant to the bastard son of Robert Bruce. After his fall the knight of Liddesdale took possession of it, by whatever title. The first Earl of Douglas acquired a right to the country; and his son, the celebrated James, probably resided in old Hermitage castle, which was far less formidable than the new (*h*). The more modern pile, which is still distinguishable from the old, was probably constructed by the Earls of Angus, when it was the shelter of their adherents and the terror of their adversaries (*i*). There were throughout Roxburghshire in those times, as we have seen, many other towers, which were at once the residence and the refuge of the border chiefs

(*f*) Out of this transaction, arose a *plea*, in parliament, during the year 1306, [35, Ed. I.] Joan, the widow of John Wake, complained to that prince in his council, that her husband having died seized of the castle of Hermitage, she had been entrusted with one third thereof, as her dower; but had been expelled by William Soulis. He pleaded that, under the ordinance for settling the affairs of Scotland, heirs under age were not to be disseized; that thereupon the Sheriff of Roxburgh had, in due form of law, put him in possession of his heritage, as son, and heir of Nicolas Soulis. She was, however, restored to her dower. See Ryley's Placita, 373—76; and Hist. of Cumberland, ii. 528—30.

(*g*) The chapel, castle, and river, derive their names from the cell of a hermit, who had retired to this secluded spot upon the waste. He could not have chosen a more solitary residence. Walter de Bolebroke confirmed to the monks of Kelso, "et fratri Willielmi de Merchleye et quoddam *heremitorum*, "quod vocatur Merchinglye," which was founded on his waste, near Merchinglye burn, with the church of St. Mary to the same belonging. Chart. Kelso, No. 263. This grant was confirmed by his son Walter. Ib. 264. Hugh de Baliol granted to the church of St. Mary, and to Roger the monk of Merchinglye, twenty six acres of land, near Halychesters, which Eustachius, the father of Hugh, had given to the monk. Ib. 266. The name of *Hermitage* so completely superseded *Merchinglye*, that it cannot be found in any map, and this name supplies the title of Viscount Hermitage to the eldest son of the Deloraine family. Stat. Acco. xvi. 82.

(*h*) Ib. 81.

(*i*) George, Earl of Angus, on the 24th of May 1452, took a course for keeping good order in his country of Liddesdale; and to keep his castle of the Hermitage for him; that his folks should do no hurt to others, nor receive any of his enemies. Godscroft, p. 213. The Earl of Angus, whose atrocity gave him the name of *Bell the Cat* after he had killed Spense, the king's servant, said, with the colloquial audacity of that age, "Go tell my gossip the king, I will get me into Liddesdale, and "remain in *the Hermitage* till his anger be over." The king, however, obliged him to exchange Liddesdale for the lands of Bothwell; saying, there was no order to be had with the Earls of Angus, so long as they kept Liddesdale. Godscroft, p. 236.

during predatory times (*k*). The remains of those fortalices show only at present the wretchedness of the people who possessed them; and although those baronial towers were once the alternate scenes of warfare and festivity, they are now the sad monuments of the manners and the miseries of the days that are passed.

From those scenes we may turn for a while to the northern projection of Roxburghshire, beyond the Tweed, lying between the Gala and the Leader, which forms chiefly the modern parish of Melrose, where we may see similar manners though somewhat diversified. This extensive country, which formed a part of the vast appanage of Earl David, became upon his accession a considerable portion of the royal demesnes. When David refounded the monastery of Melrose, he gave the monks throughout his forest all his own enjoyments; common of pasture, wood, materials, as freely as he enjoyed those useful accommodations in a rude age (*l*). From such indefinite privileges during such times disputes naturally arose, which it fell to the lot of William the Lion to settle. To understand the nature of the disputes and the equity of their settlements, we must recollect that the pretensions of the monks of Melrose lay on the south of that forest along the Tweed; that the bishop of St. Andrews possessed *Wedale*, comprehending the present parish of *Stow* on the west; that the lands of the Morvilles lay in Lauderdale, on the north and north-east; and that the ancient domains of the Earls of March lay on the east of this wild object of frequent contest. These were all powerful proprietors as well as pertinacious disputants. In 1180, William settled by his charter, according to the mode of his age, the controversy between the monks of Melrose and Richard de Morvill the constable (*m*). In 1184, William, who had many such disputes to settle, decided the controversy between the monks of Melrose and the bishop of St. Andrews' men of Wedale, about their several rights within his extensive forest. The king again caused a perambulation to be made by his

(*k*) Stat. Acco. xvi. 82; Stobie's map of this shire; Grose's Antiquities, and Cardonnel's Picturesque Antiquities.

(*l*) Chart. Melrose, No. 54. This grant was confirmed by Earl Henry, and enlarged by William the Lion. The rights of the monks, as we may learn from the charter of William, extended all along the Gala, to the end of *Wedale*; and his augmentation consisted of *Gattonside*, as the Leader falls into the Tweed, and from the Leader to the *burn* of Fauchope.

(*m*) Chron. Melrose, 174. The king now laid down many regulations for their several rights in the forest, not forgetting his own right of *venery*. He says, with great simplicity, that *he*, with the bishop of Glasgow, with his brother, with his earls and his honest men, perambulated their several boundaries; and he recites the whole in his charter. Chart. Mel. No. 146.

honest men upon their oaths, and he again decided their respective pretensions by his charter, reserving his own and his successors' rights to the beasts, the birds, and the game of his forest (*n*). The king once more had to decide the disputes of the monks of Melrose with Patrick, Earl of Dunbar, about their several rights and wrongs within this disputable forest. When the several parties came into his court at Selkirk, in his own presence they settled their own pretensions, and the king confirmed their agreement by his charter (*o*). Such were the juridical disputes of the age of William. Nothing could prevent, however, the contests of herdsmen when supported by pertinacious masters. We shall see in our progress the stream of the Gala stained with the kindred blood of the men of Wedale, who fought for their flocks with the fiercer monks of Melrose.

From the demise of Alexander III. to the accession of James VI., Roxburghshire, as a border county, has furnished appropriate fields for many a conflict. After all resistance was vain, the castle of Roxburgh was surrendered in 1296 to Edward I., by James the Stewart of Scotland (*p*). In 1297, the Scots tried without success to regain the castle of Roxburgh, which was the key that opened and shut their country in those disastrous times (*q*). Edward assembled in 1298 at Roxburgh, the army with which he was to penetrate Scotland (*r*). Every year supplied a new chief, for the brave men who fought and fell for their country. Bruce assumed the crown in 1306; and Edward I. expired in 1307, directing conquest and threatening vengeance with his last breath. Edward II., entering the eastern marches in 1310, came to Roxburgh with a powerful army on the 10th of September (*s*). Roxburgh castle was surprised and taken by the vigilant enterprise of Sir James Douglas (*t*), and all Teviotdale, except Jedburgh, submitted to the sovereignty of Bruce. The fortune and valour of that great prince universally prevailed over the imbecility and favouritism of Edward II., and the treaty of Northampton, during the minority of Edward III., fixed the throne of Bruce and acknowledged the independence of his kingdom (*u*).

(*n*) Chron. Melrose, 176; Chart. Melrose, No. 89; Chart. Antiq. Bibl. Harl.

(*o*) Chart. Melrose, No. 140. He therein recites their agreement to have been made, "apud "*Seleschirche*, in presentia mea, et in plena curia mea."

(*p*) Rym. i. 714. The castle of Jedburgh followed this example. Id. After a few days residence at Roxburgh, Edward I. appointed his own officers to retain both those castles, to act as Sheriff of Roxburghshire. Id.

(*q*) Border Hist. 209.

(*r*) Ib. 210,

(*s*) Rym. iii. 225.

(*t*) Border Hist. 237.

(*u*) Parl. Rec. 85—8.

The wars of Edward III. against Scotland were not more overbearing than they were unprincipled (*x*). These conflicts left a very sharp edge upon the spirits of the two kingdoms, notwithstanding the progress of civility, and the intercourse of marriage. The successors of Edward III. continued their claims of sovereignty, and occasionally pursued their projects of conquest. The pretensions of England, unfounded as they were, and her attempts at conquest, attended as they were by the most dire disappointments, threw Scotland into the arms of France. The hostilities of Henry VIII. and his children were not more absurd in their principle than they were wasteful in their progress. Teviotdale had an ample share both of waste and woe (*y*). Roxburghshire

(*x*) In 1332, Edward Baliol obtained possession of Roxburgh castle. Border Hist. 269. In 1333, when Edward III. entered Scotland, the people who would not be subservient to the English interests, retired into the fastnesses of their country, whereof, the forest of Jedburgh was the most impervious. Ib. 304. Sir William Douglas, in 1338, attacked an English convoy of provisions, for the castle of Hermitage, and afterwards reduced that noted strength. Ib. 328. In 1342, David II. with his army retired to the forest of Jedburgh, where they were followed by the English, who did not obtain much advantage from some sharp skirmishes. Ib. 333. After the battle of Durham in 1346, the English regained the castles of Roxburgh and Hermitage, with the country of Teviotdale. Ib. 339. During several years, from 1371 to 1377, there were continual frays between the English and Scots, at the fairs of Roxburgh, which was burnt in the latter year by the Scots. Ib. 347—349. The Earl of Douglas expelled the English from Teviotdale, except the castle of Roxburgh, in 1384. Ib. 354. In the subsequent year, the English, under Richard II., burnt Melrose abbey. Ib. 355. In 1402, the Earl of Northumberland in vain besieged the castle of Cocklaw, near the springs of Bowmont water on the Cheviot. Ib. 372. The men of Teviotdale in 1409, took the castle of Jedburgh which they destroyed. In the subsequent year the English wasted Teviotdale and burnt the town of Jedburgh. Ib. 378-80. In 1419, the Duke of Albany defeated the English near Roxburgh. Ib. 385. The Earl of Douglas in 1422, and James I. in 1436, besieged the castle of Roxburgh without success. Ib 388-401. In 1460, James II. lost his life before this strength, which Mary, his widow, by her persevering vigour levelled to the ground. Ib. 422. The Earl of Warwick laid waste the ample extent of Roxburghshire in 1464. Ib. 428. Such were some of the sad events which afflicted this shire during many years of grevious warfare.

(*y*) In July 1522, the English made a sudden irruption into Roxburghshire, when they plundered and fired Kelso. The men of Teviotdale compelled them to retire after a sharp conflict. Yet did the English destroy eighteen towns and eighty villages. Border Hist. 514. In the subsequent year these destroyers returned into Teviotdale, where they spread devastation and carried away their plunder. Ib. 515. The Earl of Surrey, in the same year, took Jedburgh after a gallant resistance; and destroyed this ancient town and elegant monastery. Id. Lord Dacres at the same time took the castle of Fernihirst, which was obstinately defended by its valorous knight, Sir Andrew Ker. Id. Hostilities of a similar nature, and still more disastrous, were renewed at the end of twenty years. In 1542, Sir Robert Bowes, entering Teviotdale on its eastern border, was defeated by the earl of Huntly at Hawdenrig. Ib. 532. This defeat did not

was not only wasted during several ages by foreign incursions, but was long the stage of domestic conflicts and the odious scene of thievish devastation (*z*). The chequered reigns of James V., of Mary Stewart, and of James VI., were crowded with such feuds between irascible chiefs, who too often stained this shire with congenerous gore (*a*).

The union of the two kingdoms by the accession of James VI., gave repose to Teviotdale. The mind is thus naturally led to more peaceful considerations. It is far more pleasant to recollect the men who have given distinction to this shire by their genius and action, and to the women who have adorned it by their virtues and lyrics. We have seen how the gallant men of Teviotdale have fought throughout many an age for their country's rights. In happier times the house of Stobbs, within the parish of Cavers, produced Lord Heath-

prevent, however, the Duke of Norfolk from wasting Tweedside, and burning Kelso with its monastery. Ib. 450. The same feats were performed on the same scene by Sir Ralph Eure in 1544. Ib. 550. The result of all those incursions was lasting waste without any useful purpose. After boasting of the subduction of Teviotdale, Eure and Leiton entering the country in 1545, and plundering Melrose, were attacked on Liliards-Edge by the Earls of Arran and Angus, and were defeated and slain. Ib. 552-3. The Earl of Hartford soon after made a still more wasteful inroad, when the Abbeys of Dryburgh, Kelso, Melrose, and Jedburgh, were involved in the destructions of the country. Ib. 554. The Protector Somerset in 1547, and Lord Gray in 1548, ravaged and subdued Teviotdale and Liddesdale. Ib. 562-66. The ravages of the subsequent year were put an end to by the peace of 1550. These wasteful incursions were renewed in 1557, in 1558, in 1570, and in 1572, which, though they were attended with sad devastation were not performed without the spirited opposition of a people of equal bravery. Ib. 558, 635, 643. If we may credit the chroniclers, we ought to believe that the Earl of Sussex, during a short incursion into Roxburghshire in April 1570, destroyed 50 castles and piles, and above 300 towns and villages. Ib. 635. That infinite waste was committed during those border wars, there cannot be any reasonable doubt. See the Stat. Papers of Haynes and of Murden. "I need not multiply extracts from this horrid catalogue," says the moral Gilpin, "in which the pillage, ruin, and slaughter of thousands of individuals (con-"tributing nothing to the sum of the war) are related, with as much indifference as the bringing in of "a harvest." Pictur. Tour, i. 44.

(*z*) Of the *feuds* which distracted and wasted Scotland in 1478, are recorded the bloody disputes in Teviotdale, between the Rutherfords and Turnbulls. Parl. Rec., 234.

(*a*) In 1519, a dispute having arisen about the bailliewick of Jedburgh forest, between the Earl of Angus and Sir Andrew Home, was decided in a bloody conflict in favour of Angus. Border Hist. 509. In 1526, the attempt of the Earl of Lennox and Scot of Buccleuch to free James V., while an infant, from the power of the Earl of Angus, produced a battle at the bridge of Melrose, which left the impatient king in the power of the intrepid Angus. Ib. 527. The severe examples which had been made of the other border chiefs in 1529, did not prevent the men of Liddesdale from opposing the warden when Earl Bothwell was wounded. Ib 621. In 1572, the chiefs of Fernihirst and Buccleuch, attempting to surprise Jedburgh, which was held for the infant king, were repulsed; and retiring to Hawick, were surprised and taken by Lord Ruthven. Ib. 643-4.

field, the defender of Gibraltar. In other times Waldef, the son of a queen of Scotland and uncle of Malcolm IV., died abbot of Melrose in 1159. This shire has furnished its full portion of poets. In 1369, Peter Fenton, a monk of Melrose, wrote *the Bruce* in metre. Thomson was born at Ednam in 1700; Armstrong on the Liddel in 1709; and Jane Elliot, the elegant writer of *The Flowers of the Forest*, at Minto in 1726. The localities of this shire have supplied various titles of nobility to eminent personages (*b*). Teviotdale gave the title of Duke to Ernest Augustus, the Duke of Cumberland, in 1799. Roxburgh furnished the title of Duke to John Earl of Roxburgh in 1709 (*c*). Jedburgh gave the title of baron to Sir Andrew Ker in 1584 (*d*). Sir Gilbert Elliot derives the title of Lord Minto from the ancient seat of his progenitors, who have been distinguished for talents both useful and elegant. The Morvilles, who in succession under David I. and his grandsons, were constables of Scotland, possessed large estates in this shire, and great influence in Scotland. The Earls of March had here many lands. The Soulises were possessors of Liddesdale; and they were the *pincerna regis*. But in those good old times we see nothing of any great noble whose power produced here any predominant effect if we except the Douglases, amid the distraction of their country. This shire has also supplied several senators to the College of Justice (*e*). The Rutherfords, the Dawsons, the Elliots, the Rogerses, who, as improvers, were the first to make many a blade of grass grow where none grew before, merit more lasting remembrance as the benefactors of their country.

§ VII. *Of its Agriculture, Manufactures and Trade.*] When the Romans entered this shire during the first century, they found it in its natural state, with

(*b*) Teviot gave the title of Earl to General Rutherford. Crawfurd's Peer., 475. Robert, Lord Spencer, was created Viscount of Teviot in 1686. Ib. 476. General Sir Thomas Livingston was created Viscount of Teviot in 1698. Id.

(*c*) Crawfurd Peer., 430.

(*d*) There were two noted families in this shire of the name of Ker; the Kers of Fernihirst and the Kers of Cessford. From this last family are descended the Dukes of Roxburgh; from the former, the Lords of Jedburgh, a title which merged in that of Marquis of Lothian. Ib. 229. To this last, Ancrum furnished an Earldom. Ib. 8. Rutherford, as it is a local name, is in itself dignified; and became ennobled in the person of General Rutherford. Ib. 433.

(*e*) In 1582, at the establishment of that college, Mr. Richard Bothwell, the rector of Ashkirk; in 1541, Mr. Andrew Durie, the abbot of Melrose; in 1582, Mr. David Macgill of Nisbet; in 1705, Sir Gilbert Elliot of Minto; and in 1726, Sir Gilbert Elliot of Minto, who held the high office of Lord-Justice Clerk from 1762 to 1766. His son, Sir Gilbert, rose to eminence as a statesman, and represented Roxburghshire in several parliaments.

the defences of hill-forts and the communications of footpaths; the people being clothed in skins, and feeding on the milk and flesh of their cattle. In the cultivation of it the Roman intruders did not make much change, though they settled their stations, made their roads, and planted their villas within its area.

The Saxons who came in upon the Romanized Britons during the fifth century, though they had less knowledge, certainly had a more vigorous character than the descendants of the Ottadini and Gadeni. In the long progress of their intrusion they commenced the progress of husbandry. They began to cut down the trees and to labour the fields; Yet, at the recent beginning of the Scoto-Saxon period in 1097, the whole extent of Roxburghshire was clothed with woods, sheltered by forests, and disfigured by wastes (*a*). By taking a nearer view of the several districts of Roxburghshire at that epoch, we shall see the whole landscape more distinctly. Liddesdale, the south-western division, formerly contained much wood, some of which, consisting of oak, ash, birch, alder, still remains along the banks of the several streams, particularly on the Hermitage water (*b*). The country lying along the Bowmont water in Morebattle parish, on the south east, was anciently clothed with natural woods which no longer exhilarate the prospect (*c*). The wood of Moll [Mow], on the same alpine stream, is mentioned in the charters of William the Lion and Alexander II. (*d*). The river *Kail* derived its *British* name from its *woods.* The names of places near its banks mark the existence there of its wood in ancient times (*e*). Natural woods once adorned the margins of the Oxnam

(*a*) In one of the first of the genuine charters, there is a grant from Edgar to Thor-Longus of Ednam, which was then a desert. He cultivated this unimproved spot with his *own money*, as he says; he here settled his own men; and he built them a church. Diplom. Scotiæ, pl. 69.

(*b*) Stat. Acco. xvi. 61-67. Some years ago was discovered in the channel of the Liddel a vast oak measuring 26 feet long, and 10 feet in circumference. Ib. 79. Nothing like this ancient monarch of the woods is now to be seen near the course of the Lid. The names of many places in this district have been derived from its woods; as Clint-*wood*, Foul-*wood*, Byegate-*wood*, Billet-*wood*, *Wood*-side, *Shaws*, Cop-shaws, Abbot-*shaw*, *Birk*-holm. Blaeu's Atlas, No. 10; Stobie's Roxburghshire.

(*c*) The maps of Blaeu and of Stobie are the records of notices that woods once existed here. We in them still see *Wood*-side, *Wood*-end, Crooked-*shaws*, *Oak*-hope, Desert.

(*d*) Anselm of Moll granted to the monastery of Kelso, "totam terram illam, et pratum, et *nemus*, in territorio de Moll, et totam *Houlets*-how, in *bosco* et plano." Chart. Kelso, No. 153. This grant was confirmed by William. Ib. No. 13. In 1236, Alexander II. granted to the monks of Melrose, "ut terram suam de Moll habeant in *limberam forestam.*" Chart. Bibl. Harl.

(*e*) There are *Fair*-wood, *Felter*-shaws, Towngate-shaws, Place-gate-*shaws*, Calf-*shaw*, *Aik*-ford, East-*wood*-en, West-*wood*-en, formerly Wood-holm. Blaeu's Atlas, No. 4, and Stobie's Map.

water. Henwood, on its western side was, during the border wars, a *rendezvous* for the inhabitants when the cry of war was raised (*f*). In the southern part of this shire, lying between the border mountains and the river Teviot, there was anciently a great extent of natural woods. Of these, *Jed* forest was the chief, and in it, during the long war for the succession, the neighbouring inhabitants found shelter and defence. In the happier times of Thomson, the poet recollects with infantine gratification the "sylvan Jed." What of wood the waste of war had spared, when inveteracy prompted destruction, more recent rapacity has felled (*g*). As well the charters of David I. as the maps of Blaeu and Stobie, evince the sylvan qualities of Jed-side (*h*). During the middle of the seventeenth century there was still a wood near the castle of Jedburgh, which was called the *Castle-wood* (*i*). The Rule water is said to vie for its woody vestures with the sylvan Jed (*k*). The Teviot, which receives the tribute of so many waters, was once as woody as either the Rule or the Jed. On the regions of the tributary Slitrig, Allan, Borthwick, and other kindred rivulets, there anciently grew many natural woods (*l*). The larger woods rapacity and waste have concurred long since to fell, but the spontaneous shrubberies still shelter the sides of the hills and adorn the banks of the streams (*m*). The Ale-water once had many woods wavering on its margin, and could anciently boast of a royal forest, which skirted its higher regions. Of all these, little remains except the natural shrubberies on the Ale, and some ancient timber at Ancrum (*n*). The country lying between the Ale

(*f*) Stat. Acco. x. 333. (*g*) Ure's Agricult. View, 68; Stat. Acco., i. 4.

(*h*) The names of places near the Jed establish the fact. There are *Frith*, signifying in ancient language, a forest; *shaw*, meaning a wood; and *Wood*-end, *Wood*-field, Wood-house, Thorter-wood, *Hazel*-haugh, *Birks*-burn, *Birken* suet, Bush, *Ashtrees*.

(*i*) Blaeu.

(*k*) Agricult. Survey, 13. The names of places on the Rule are derived from the circumjacent woods, and from the wild beasts which they sheltered in less agricultural times. *Birch*-hill, *Hare*-wood, *Harts*-haugh, *Hind*-lee, *Hind*-haugh, *Wolf*-hope, shew the ancient stock of this woody district.

(*l*) The topographical names show satisfactorily the fact: *Wood*-head, *Wood*-burn, Back of the the woods, Grin-*wood*, Birk-*wood*, *Ashie*-bank, *Hare*-wood, *Jed*-shaw, *Wolf*-cleugh, *Raes*-knows, [Rose-Knolls], *Wood*-foot, Pit-Shaw. See Blaeu and Stobie.

(*m*) Agricult. Survey, 13; Stat. Acco., v. 8., p. 522; v. 10., p. 80.

(*n*) Agricult. Survey, 120; Stat. Acco. x. 290. The names of places also recall the remembrance of the ancient woods on the Ale: *Frith*, Frier-*shaw*, Head-*shaw*, Bell-*shaws*, which has been corrupted to Bel-shaes, Shiels-*wood*, Birk-*wood*, Birk-*side*, *Wood*-end, *Wood*-head, *Ashie*-burn. By a grant of William the Lion, between the years 1180 and 1189, he gave to the church of Glasgow, and to Orm of *Ash*-kirk, certain easements in his extensive forest on the upper Ale; and he also conceded to them the *Wainagia*, or cultivated land, which had been *gained* from the woodland. Chart. Glasgow.

and the Tweed was anciently covered with woods; and we know from record, that some of these had been cut down before the improving age of David I. (*o*). On the southern side of the Tweed, near Melrose, there remained in modern times a large oak wood, which was called Prior-wood, and which gave a name to Aikie-dean (*p*). The sides of the Eildon-hills were once clothed with wood (*q*), and *Shaw-burn*, in Bowden-parish, derived its instructive name from an ancient wood on its woody-brink (*r*). There was once at Halydean, five hundred acres of wood which were enclosed by a vast wall, and which are now cut down; and this singular enclosure is called in old writings the great deer park of Halydean (*s*). In the north-east divisions of Roxburghshire, lying on both sides of the Tweed, and on the lower parts of the Teviot, as well as the Eden water, the woods appear to have been early cut down by the hand of cultivation. In the western moss of Eckford, there have been dug up nuts, roots, and trunks of large oaks and other trees, with the vast horns of red deer, and the skull of a bison (*t*). An extensive forest anciently occupied the whole country lying northward of the Tweed, between the rivers Gala and Leader (*u*). Within this district, the forest, which was bounded by the perambulation of William, occasioned many controversies between various parties, about their several rights, either of pasturage or of hunting (*x*). Alexander II. in 1235, confirmed to the monks of Melrose the whole of that vast district, which he erected into a *free forest* (*y*).

(*o*) In the chartulary of Melrose, No. 59, we may see an agreement between the monks of Melrose and Kelso, which mentions a wood cut down, "nemus scissum."

(*p*) Milne's Melrose, p. 7. (*q*) Ib. 47.

(*r*) In Bowden parish, many oaks, firs, and birches have been found in the mosses, from three to eight feet below the surface. There have also been dug up many horns and bones of different animals, which indicate a larger size than there now exist. Stat. Acco. xvi. 241.

(*s*) Ib. 241.

(*t*) Stat. Acco. viii. 34; xix. 578. All those remains are frequently found below, where not a vestige can be seen above. Agric. Review, 11-68. David I. granted to the church of St. John, within the castle of Roxburgh, the *tithe* of his *copse-wood*, "*decimam virgulti*," in Teviotdale. Chart. Glasgow. This grant, which shows the abundance of *copse-wood* in those times, was confirmed by Earl Henry the son of David.

(*u*) David I. with his usual bounty granted to the monks of Melrose in the forest lying between the Gala [Galche], and the Leader, a variety of easements; such as common of pasture, wood, and materials for building, with the same freedom as he himself enjoyed this useful privilege. Chart. Melrose, No. 54.

(*x*) Ib. 146, 174, 89:—In that contested district, there appear many names of places which evince how much it had been covered with woods. There are Lang-*shaw*, Allan-*shaw*, Hare-*shaw*, Threap-*wood*, Broad-*wood*-hill, *Wood*-head, Weeplaw-*wood*. See Blaen and Stobie.

(*y*) Chart. Melrose, No. 62.

The recesses of those vast forests harboured various beasts of prey, which have disappeared with the destruction of their shelter. The tradition and the topography of this shire intimate pretty plainly that the boar, the wolf, and the cat, were once the ferocious tenants of those woodlands in every district of Roxburghshire (*z*). Actuated by very different passions, the monks destroyed the wild beasts for their profit, and the barons defended them for their sport (*a*). The progress of cultivation, and the interests of man, have finally decided in favour of the policy of the monks, that beasts of prey ought not to exist among innoxious animals.

During pastoral ages, before husbandmen had advanced to more appropriate cultivation, those numerous woods and extensive forests were objects of great desire, and of frequent grant, for their shelter, their mast, and their herbage. The warmth of the woods was not only congenial to the feelings of the animal, but produced also abundance of pasturage for food. In the woods, which consisted chiefly of oak, the swine found plenty of mast; hence, *pannage* became a frequent object of grant by the successive kings to the several monasteries (*b*); and while the woods remained the opulence and the ornament of the country, the swine formed a considerable part of the living stock. In those woods and forests were raised very numerous herds of cattle. Not only the monks, but the barons and the kings bred a very hardy race of horses in their woodlands, and in the "timber shades." (*c*).

It is, perhaps, a more pleasing task to trace the introduction of real cultivation, which converted the wastes into the haunts of men. The earliest notice of efficient settlement which has come down to us is the foundation of Jed*worth*, before the middle of the ninth century. On the west bank of the Jed,

(*z*) There are *Boar*-hope in Hounam parish, *Wolf*-cleugh in Roberton parish, on Borthwick water. *Wolf*-cleugh on Rule water, *Wolf*-hope on *Cat*-lee-burn, in Southdean, and *Cat*-heugh in Liddesdale. During the reign of William, the monks of Melrose set snares for the wolves. Chart. No. 91. As extensive husbandmen, the monks had vast herds to protect.

(*a*) The monks, however, continued to make the barons and the kings pay them tribute for their sport. The pious David I. granted to the monastery of Jedworth, "decimam totius *venationis regis*, in Tevedale." Monast. Scotiæ, p. 28; and this grant was repeated and confirmed by his son Earl Henry, and his grandson William. See the engraved Charter of Jedburgh. Similar grants were made by other kings and other barons, to other monasteries, as we may see in the Chartularies.

(*b*) See the Chartularies of Kelso, Melrose, and Dryburgh.

(*c*) See the Chartularies: In the "Summa animalium de monast. de Melros temporibus antiquis," there are, "Summa equorum dominicorum 104; summa equarum dominicarum 54; summa *silvestrium* 325." Chart. Newbotle, No. 284.

in the midst of a vast forest, Ecgred, the bishop of Lindisfarne, who died in 845 A.D., built a village which he named Jed-*worth*, and a church for his village (*d*). Even before the age of the beneficent David I. another village of the same name, with a church and a castle, a few miles lower down on the Jed, had arisen and had eclipsed the ancient hamlet; and at New-Jedburgh, David founded a house for the monks of St. Augustine (*e*). The next intimation to the notice of Jedworth which appears in record of actual settlement is that of Ednam. Thor-Longus, a follower of Edgar, received from the king a grant of Ednam, a *desert*. Here Thor sat down, and with the help of his own men, and at the expense of his own money, converted a waste into *Waynage*, and built a church to the honour of Cuthbert, the saint of Tweedside (*f*). He afterwards transferred the church with a carucate of land to the monks of Durham, with the assent of Earl David, his lord, who confirmed his grant (*g*). Here, then, is the model of almost every similar settlement in those rude times. A chief obtained a grant of lands from the king, he fixed his followers upon them, and he built upon his manor a church, a mill, a malt-kiln, and a brewhouse. The many manors which we see existing within this shire during the age of David I., in the earliest part of the twelfth century, with manorial rights, evince the truth of that representation (*h*). The earliest notice of a *dairy*, whereof we have any record, was that which was settled at Cumbesley by the monks of Melrose, under the authority of Malcolm IV. upon Allan-water, within the forest between the Gala and the Leader (*i*). It is curious to remark that

(*d*) Anglia Sacra, i. 698. See Somner in vo. *worth*, an *entry*, a *porch*, a *hall*, a *court yard*. *worthig*, *vicus*, a *village*. So Jed-*worth* was the same as if the good bishop had called his *villa* Jed-*court*. This hamlet is now distinguished by the name of *Old* Jedburgh, and there are near it the *remains* of a chapel, and also two other hamlets, which are named *Old* Jedburgh town head, *Old* Jedburgh town foot, and they are all situated about four miles and a half *above* Jedburgh, the county-town. Blaeu, No. 4; Stobie's Map.

(*e*) David and his son Earl Henry, granted to the monks here, "decimis villarum totius parochiæ, "scilicet duarum Jedworth."—They also granted to the same monks the right of pasturing their beasts everywhere that the king's cattle pastured, and to take wood from the forest for all necessary uses, with the *multure* of the mill beside the castle from all the men of Jedworth. They also conveyed to the monks here, the "capellam quoque qua fundata est in *saltu remoris* contra Rering-winglan." MS. Monast. Scotiæ.

(*f*) Diplomata Scotiæ, pl. 69. (*g*) Smith's Bede, 763-4.

(*h*) See the Chartularies of that period. *Baronies* with baronial rights were scarcely known a hundred and fifty years afterward, and only came into use after the recent accession of Robert Bruce.

(*i*) Malcolm IV. granted to those monks a place at *Cumbesley* "ad edificandum unam *vaccariam*

the *Blainsleys*, which have long been famous among farmers for the production of *oats*, and have been even celebrated in song, were settled within this forest as granges in the prior age by the foresters of David I. (*k*). As early indeed as the twelfth century, a number of farms had been gained from this forest under the king's charters; and agricultural settlements were made on its "outmost skirts," along the rivers Leader, Gala, and Tweed.

The British aborigines, and the Romanized Britons, as well as their Scoto-Irish successors, delighted to live separately in their forests, without towns or castles, protected only by hill-forts for individual safety during unusual danger; and they subsisted sometimes by hunting and often by pasturage. The Saxons, when they settled within this shire, assumed a firmer tone and a more compact residence. To hunting and pasturage as modes of subsistence, they added agriculture. Partly from original habit, perhaps more from frequent experience, the Saxon settlers here adopted the policy of living in agricultural hamlets rather than in separate farms. This practice was not so much adopted from individual choice as from the dictates of their chiefs, when they obtained their grants and formed their settlements. When we first view their georgic polity in the chartularies, we see the settlers of this shire in manorial villages. The *waynage*, or cultivable lands and meadows of each district or manor, were possessed and laboured in separate portions by the individuals of the manor under its lord; but the pastures, the woodlands, the peataries or mosses, were enjoyed in common by the manorial tenants, each person having a right of common in proportion to what he tilled of the manor (*l*). Under this polity

"centum *vaccarum* et unam *faldam*." Chart. Melrose, No. 56. Richard Moreville, the constable, granted to the monks of Melrose, "libertatem et licentiam habendi, apud Buckholm, unam *vac-*" *cariam*, etc." Ib. No. 183. Buckholm lies in the same country between the Leader and the Gala.

(*k*) William the Lion confirmed to the monks of Melrose, "illam partem terræ de *Bleinsley*, quam "Rex David olim concesserit *forestarii suis*." Chart. Bibl. Har. Char. Mel. No. 18.

(*l*) Robert de Berkeley, about the year 1189, granted to the monastery of Melrose a carucate of land in the district of Mackuston, with common of pasture for 100 sheep, 12 oxen, 6 cows, 3 horses, "et unam *suam* cum nutrimentis suis; et communia *focalia* ejusdem ville, tam in *turbaria*," quam in *brueria*." Chart. Melrose, No. 27. Hugh Normanville, during the reign of Alexander II., granted to the same monastery, in his manor of Mackuston, common of pasture for 200 sheep, 12 cows, 40 oxen in winter, and 30 in summer, six horses, and two *sues cum nutrimentis suis* duorum annorum, and a common privilege, "tam in *turbaria*, quam in *petaria*." Ib. No. 30. In each of those charters there is a reference to similar rights of common which were enjoyed by the tenants of the manors. Patrick de Ridale granted to the monks of Melrose lands in his district of Lilliesleaf, with pasture for 12 oxen, 10 cows, 5 horses, and 100 sheep, "ubicunque *averia mea*, et averia

the most common divisions of tillable lands were carucates, or plough lands, and bovates, or oxgangs; the husband lands, and afterwards the acres, a more definite measure of lands. Those villages were considerably augmented by cottagers, who each occupied a dwelling with a small portion of land, and with the privilege of feeding a few beasts on the manorial commons and in the woodlands (*m*).

The reign of David I. forms an epoch in the agricultural annals of Roxburghshire. Though much had been already done, much still remained to be done. There had now been a considerable progress from pasturage to tillage. The number of mills which everywhere existed within the shire, during that age, shews the quantity of corn that was then grown. There appears to have been a mill in every manor to which the tenants of the same manor were already astricted (*n*). The quantity of malt which was then ground, evinces

"hominum meorum, ejusdem villæ pascunt." Ib. No. 66. This grant was confirmed by Alexander II. Gaufrid de Perci granted to the monks of Jedburgh the church of Oxnam, with two carucates and two bovates of land which were adjacent to the same, "et communam pasturam et "communam focaliam ejusdem Oxenham, et Newbigginge et communam pasturam et communem "focalium cum exteris hominibus ejusdem villæ." This grant was confirmed by William the Lion. The chartularies are full of such grants of *common rights* as enjoyed by manorial tenants. About the year 1225 a canon was made by the Scotican church, that every parish priest should be entitled to pasture his cattle over the whole of his parish. Sir D. Dalrymple's (Hailes) Scot. Councils, 12.

(*m*) At the end of the thirteenth century, the monks of Kelso had in the village of Moll fourteen cottages, each of which used to rent for two shillings and six days labour yearly. These cottagers had the common easements of the manor; and might go with their cattle wherever the men of their lord went with their cattle. Chart. Kelso, No. 7. In the village of Sprouston they had six cottages, one whereof had annexed to it six acres of land, with a *braccina* or brewhouse, which rented for *six shillings* a year; the other five cottages had one acre and a half of land belonging to each, which rented for three shillings and six days' labour every year. Ib. 4—5.

(*n*) Earl David granted to the monks of Selkirk the seventh part of the multure of his mill, at Roxburgh. Chart. Kelso, No. 4. David, when he removed the same monks to Kelso in 1128, granted to them 20 chalders, "inter farinam et frumentum," from the mills of Roxburgh yearly; he also gave them thirty acres of land in Lilliesleaf, "et *decimam* molendini ejusdem." Chart. Kelso, No. 1. The mills of Roxburgh appear to have been afterwards let to farm; as we learn from Ayloffe's Calendar, 337, wherein we see a roll, "de *firmis molendinorum* unde compota reddunter apud Rokesburgh." William granted to the same monastery three carucates of land in Ednam, in exchange for the above grants out of the mills of Roxburgh, with the mill of Ednam. Ib. No. 14. David I. granted to the monks of Jedburgh the multure of the mill of Jedburgh, from all the men of Jedburgh. MS. Monast. Scotiæ. David Olifard granted to the same monks the *tenths* of the mill of Crailing. Berengerius de Engein granted the same monks a mark of silver from the mill of Crailing. Both these grants were confirmed by David I. Ib. No. 29. At the

the progress in the manufacture of barley (*o*). The vast number of brewhouses shows clearly that the manufacture of barley into malt was converted into ale, the common beverage of every family, when the art of distilling spirits was unknown, or at least unpractised. Every hamlet had its *braccina*, and every village had two or three or four brewhouses, according to their populousness (*p*). Exclusive of all those *braccinas*, which furnished the villages with a wholesome beverage, and a handsome profit to the kings, the abbots, and the barons, every monastery had its own brewhouse and its own bakehouse (*q*).

We perceive very early in the Scoto-Saxon period, from 1097 to 1306, the whole shire separated into lands cultivated and lands uncultivated. The woodlands and forests, the wastes and the commons, have been already

close of the thirteenth century the monks of Kelso had five mills in this shire, from which they drew considerable rent, besides the grinding of their own corn without paying multure. For the mill of Easter Kelso they had yearly 22 l. For their mill at Redden they had nine marks yearly. Their mill at Bowden rented yearly for eight marks. They had a mill at Middelham which rented at 21 marks. Upon their grange of Colpinhopes they obtained the privilege of erecting a mill for grinding their own corn, upon paying half a mark yearly to the mill of Scot-town, to which their grange had been restricted. Chart. of Kelso. The same monks made an agreement with Anselm of Moll, whereby they renounced their right to the tithes of the mill of Moll; and in consideration thereof, Anselm gave them liberty to grind their corn growing in Moll where they pleased. Ib. 154. This agreement was made before 1189, A.D. Eustace de Vesci and his wife, Margaret, granted to the monks of Kelso 20 shillings yearly, from their mill of Sprouston, to be received from the person holding the mill; and this grant was in composition for the tithes of the mill of Sprouston. Ib. 207-9. It is estimated that the present mills of Roxburghshire, exclusive of what is consumed in the county, grind yearly 20,000 quarters of corn.

(*o*) In 1128, David I. granted to the monks of Kelso *twelve chalders of malt* from his mill of Ednam yearly. Chart. Kelso, No. 1. There were probably ground yearly at that mill in those times 1000 quarters of malt. In almost every village there were malt-barns and malt-kilns, wherein the barley was manufactured into malt, both for public and private use.

(*p*) At Whitelaw the monks of Kelso had a *braccina*, or brewhouse, which rented for five shillings. Chart. Kelso, 12. At Middleham they had a *braccina*, which used to rent for *half a mark*, with the addition of some services. Ib. 117. At Reveden [Redden] they had two *braccinas*, which rented yearly for two marks. Ib. 3. At Makerstoun they had two *braccinas*, which, with an acre of land, rented for five shillings a year. Ib. 19. At Bowden they had four braccinas, which yielded yearly of rent ten shillings, and the brewers were, moreover, bound to sell the abbot one and a half *lagena* of ale for a penny; the *lagen* and half *lagen* were equal to about seven quarts, that the abbot had for his penny, which had, however, far more power than three of our pennies. In Selkirk-*abbatis* the same monks had three *braccinas*, each of which rented for six shillings and eight-pence. Ib. 16. They had also several *braccinas* in Berwickshire.

(*q*) In Milne's Melrose, 43, we may see the description of a magnificent oven among the ruins of Melrose abbey in the *bakehouse yard*. This oven was taken down in the beginning of the eighteenth century.

investigated. We must now take a view of the cultivable lands. In this county, as well as in other districts, we may observe the appearances of cultivation on the hills and the moors, where the plough does not now enter, and a blade of grass never grows, and on those hills and moorlands, ridges and furrows, which were generally straight, are still in many places very distinct (*r*). We know, however, that in the early age of Malcolm IV., who succeeded his grandfather in 1153, the manurable lands were enclosed with hedges, and the meadows were surrounded by ditches (*s*). All those intimations evince a considerable progress in systematic cultivation, though the apparent price of the land was but low in that rude age (*t*).

The kings, as we learn from the chartularies, were the greatest farmers of those times. David I. was not only the greatest husbandman himself, but the moving cause of husbandry in others (*a*). The kings had many manors and granges, with mills, malt-kilns, breweries, cattle, and studs, in every shire (*b*).

(*r*) Stat. Acco. xvi. 67; of the parish of Castleton. It is probable that those high and bare places, as they were early cleared of wood, were first manured, while the lower grounds and valleys were covered with trees, which could not be easily removed for the plough. At what epoch such manurance began, cannot now be ascertained. It must have been in early times; when the most barren lands would no longer produce, the more fertile were cultivated.

(*s*) Malcolm IV. granted a considerable tract of land on the edge of the forest on the upper borders of the Ale for improvement. William confirmed this grant of his brother before the year 1189; and he added, "Concedo etiam eis ut ubique infra *sepem, que facta fuit* circa eorum "*weynagia* licet eis *arare* et *seminare* et *weynagia* facere." Chart. Glasgow, 217. Cowel knows not well how to explain *weynagia*; but it plainly means here manurable land; and in Kelham, the old French word *wainable*, means what may be ploughed or manured. The abbot of Melrose caused a *ditch* to be made round eight acres of meadow, which had cost him five-and-thirty marks, within the manor of Farningdun. Chart. Melrose, No. 52. William de Lindsay confirmed to the monks of Melrose the lands of Fawhope on the Leader, as they were enclosed by a *hedge*, "sicut *sepis* includit." Ib. 143.

(*t*) Richard Burnard, the lord of Farningdun, sold eight acres of meadow to the Abbot of Melrose for five-and-thirty marks. Chart. Mel., No. 54. This conveyance was confirmed by Alexander II. Ib. No. 53. The monks of Paisley granted to Robert Maleverer and his heirs, a carucate of land in Moll, he paying for the same yearly half a mark of silver, at Paisley. Chart. Paisley, No. 33.

(*a*) David I., early in the twelfth century, founded in this shire the monasteries of Kelso, Melrose, and Jedburgh; and the monks were most extensive farmers.

(*b*) We have already seen how much *victual* he granted to the monks out of the mills of Roxburgh and Jedburgh. He granted to the monks of Kelso, "medietatem coquinæ meæ et de omnibus "occisionibus meis omniumque successorum, ita ut ubicunque unum corium habuero habeant monachi "et alium: Et similiter de unctis et sepiis sicut de coreis: Et omnes pelles arietum et agnorum: "Hos autem redditus coquinæ meæ et occisionem mearum dedi eis per illam terram tantum quam "vivente rege Alexandro habui." Chart. Kelso, No. 1. He granted to the church of St. John, within the castle of Roxburgh, "totam decimam partem de sepo occisionis mea quæ fit, in *Teviotdal*." Chart. Glasgow, 265. Earl Henry, his son, confirmed this grant. Ib. 267.

The followers of David, who had supported his pretensions, even during the reign of his brother Alexander, all followed his example, and the fashion of the age, as husbandmen. They had all granges on their manors, where they raised cattle and corn; where they had mills, malt-houses, and breweries; and where they had their sheep-walks and studs (*c*); and their granges they manured by means of their various bondmen, and by *the services* of their tenants (*d*). But it was the several monks of the religious houses who were the greatest, perhaps the most intelligent cultivators of those times. Before the middle of the twelfth century, those monasteries possessed vast estates, in all that constitutes opulence, during rude times; in lands, in villeyns, and cattle and sheep, and in every article which can be produced by a well-managed husbandry (*e*). The same monks had other possessions in those times of great

(*c*) See the Chartularies throughout. The extensive country on the Gala was possessed during the age of William by the monks of Melrose on the south towards the Tweed; by the bishop of St. Andrews on the west, by the name of Wedale [Stow]; the country on the north and north-east upon the Leader was enjoyed by the Morvilles, who had *equinas* or studs on the Leader haughs; and the property of the Earls of March lay on the east of the forest of the Gala, where they too had their granges and their studs.

(*d*) David Olifard, the lord of the manors of Crailing and Smailholm, granted to the hospital of Soltre, from every carucate in his domain, one thrave of corn in Autumn; "quare volo, he adds, quod "homines mei, de me tenentes, de singulis carucis suis unam thravam de blado donent dictis fratribus." Chart. Soltre, No. 16. In 1271, an inquest of lawful men from the neighbouring manors, found that the hospital had been long in use to receive those thraves of corn. Ib. No. 17. Nicolas de Sticcanel [Stitchel] granted to the same hospital, "duas *scippas* farinæ avene, annuatim, percipiendas, etc., de grannario suo apud Lyda." Ib. No. 46.

(*e*) Summa animalium monast. de Melrose, temp. antiquis. Cart. Newbotle, No. 284. At the end of the thirteenth century the monks of Melrose possessed many granges, which they cultivated by means of their own men, and where they bred vast herds of cattle, horses, sheep, swine, and other beasts, as we learn from their Chartulary. On their grange of Newtown, which they laboured with seven ploughs, the monks had 80 oxen, 60 cows in winter, 1000 ewes, 60 porkers, with sufficient horses for their ploughs. On their grange at Redden, which they laboured with 5 ploughs, they had 14 score ewes with cattle in proportion. On their grange of Stapelaw, which they laboured with two ploughs, they had 20 oxen, 20 cows, 250 ewes, 200 wedders. On their grange of Colpinhopes, which they laboured with two ploughs, "pro tempore hyemali," they had 20 oxen, 20 cows, the produce whereof they yearly disposed of, 500 ewes, and 200 two-year-olds. In Sprouston they had a grange which they manured with two ploughs, and where they had common of pasture for 12 oxen, four young horses, and 300 hogs [young sheep]. They had a grange at Whitelaw in Bowden, which they cultivated with three ploughs, and had pasture for two flocks of wedders, and five score young beasts. In the same parish they had the grange of Halydean, which they cultivated with three ploughs, and pastured with four-and-twenty cows, 40 wedders, and 20 ewes.

value (*f*). They had also, in various other districts of this shire, lands and tenements, which, as they were rented to cottagers, brought them considerable revenues (*g*). I have now laid open to the view of judicious eyes the whole

(*f*) At Whitemere [Whitemnir], which they used to labour with two ploughs, they rented at ten marks. They had, in the same manor, ten husbandlands which paid six shillings each, and yielded the same services that the husbandlands of Bowden paid. In the manor of Bowden they had 28 husbandlands which let for six shillings and eight pence each a-year with various services; such as to reap in autumn for four days, each husbandman with his whole family and his wife. Each husbandman performed similar services in autumn with two men for five following days. Every husbandman was obliged to carry, with one *plaustrum*, or wain, which was a common carriage in that age, with oxen yoked in them, peats from Gordon towards *le pullis* for one day; and every husbandman was obliged to carry one cart load of peats *del pullis* [stable yard] to the abbey in summer and not more. Every husbandman was obliged to make a carriage with one horse to Berwick once a year. The husbandmen used to have their victuals of the monastery while they were performing those services. Every husbandman was in use to cultivate an acre and a half at the grange of Newton every year, and to harrow with one horse for a day. Every husbandman was bound to find a man to wash the sheep, and another man to shear them without victuals. The husbandmen used *to do suit and service to the abbot's court*, and to carry corn in autumn for one day. They were obliged to carry the wool of this grange to the abbey, and they were bound to find carriages beyond the moor towards Lesmahagow. At Reveden [Redden in Sprouston parish], where the monks had 8 husbandlands and one bovate, the husbandmen owed similar services. In summer every husbandman was obliged weekly to go with one horse cart to Berwick, *the port* of this shire, and to bring either three bolls of corn or two bolls of salt, or one boll and a half of *coals;* and in the winter, with the same horse and cart, to carry two bolls of corn, one and a half of salt, one boll and a firlot of coals. We may suppose that in the intercourse with Berwick, the men of the monks carried corn to the port and brought salt and coals from thence. The roads must have been very wretched. The husbandmen who did not perform their carriages to Berwick were obliged to work three days. Every husbandman was in use to take in lease with his land, two oxen, one horse, three chalders of oats, six bolls of barley, and three bolls of meal. In this practice we trace the origin of *steelbow*, and see the commencement of the husbandman's *stock*, or *capital*, wherewith to labour his land. Abbot Richard, who ruled in 1297, had the merit of converting those services into money, as we learn from the chartulary. This, then, was another step in the progress of improvement.

(*g*) The monks had the grange of Faudon in Bowden parish, with twenty-one cottages which rented for £10 yearly. At Whitelaw, in the same district, they had one carucate of land which was rented at 40 shillings. At Bowden they had 36 cottages with 12½ acres of land which used to rent for 55 shillings and eight pence yearly; and every cottager did, in autumn, nine days work by one man, and always found one man for the washing and shearing of the sheep. The abbot took of every house, before Christmas, a cock for a penny. The monks had, moreover, at Bowden, 28 husbandlands which let for 6s. 8d. a-piece; they had four brewhouses and a mill, so that upon the whole, the abbot had under him at Bowden about seventy families. At Whitemere they had ten husbandlands which were let to different persons, and six cottages with an acre of land to each, which rented for four or five shillings each; the cottagers doing the same services

practice of agriculture as it was carried on under David I. and his grandsons, by those most intelligent cultivators, the monks. The labour on their granges was undoubtedly performed by their villeyns, who were astricted to the glebe, with the help of the cottagers' services (*h*). Yet were the abbots and other ecclesiastics the most indulgent masters, as well to their cottagers as to their villeyns, who, yielding their services, lived very comfortably under their shelter. They were the first to convert those services into payments in money, and they were studious to reward them for their well-doing (*i*). During the whole Scoto-Saxon period indeed, the granges of the kings and barons, as well as those of the bishops and abbots, were chiefly laboured by bondmen, who were attached to the soil as *nativi*. While many of those bondmen were employed as tillers of the soil, as servants, others of them were intrusted with the cultivation of some husbandlands, under their superiors ; paying rents, and yielding services, for their cottages and lands. These last only differed from the bondmen in being

as those of Bowden. One cottage being without land, let for six pennies a-year. At Whitelaw they had 18 cottages, four whereof rented for two shillings, and others of them for eighteen pennies, doing six days services. At Clarilaw, in Bowden, they had twenty-one cottages, every one whereof had three acres of land ; or, if the cottager chose, to yield for the same yearly two bolls of meal, and *to weed* the corn on the abbot's grange ; but every cottager had, in the pasture belonging to the grange, two cows, and might at the year's end remove the produce of this stock. At Malcarveston [Makerstoun], the monks had twelve cottages, and every cottager had a toft with half an acre of land, and also had on the common pasture for two cows : four of which cottagers rendered yearly for the same four shillings and nine days work, and the other cottagers rendered yearly eighteen pennies and nine days work. At their grange of Redden, in Sprouston, the monks had eight husbandlands, and half a carucate of land, which were all let to different tenants, and also nineteen cottages, eighteen whereof let for twelve pence yearly, and six days labour in autumn, receiving their victuals ; and those cottagers also assisted at the washing and shearing the sheep of the grange for their victuals. The nineteenth cottage rented for eighteen pennies and nine days labour. See the Chartulary of Kelso for this curious detail of ancient husbandry. The cottages of those days were made of very slight materials. In 1177, Richard, the bishop of St. Andrews, settled a dispute about a toft, between the monks and a poor man, in favour of the monks, who, however, from charity, gave him a tenement in Roxburgh with *twenty shillings* to build him a house. Chart. Kelso, No. 445.

(*h*) In 1222, Alexander II. granted to the monks of Kelso a confirmation of their privileges ; and added, for the safeguard of their villeyns, "Et ubicunque extra dominia mea in tota terra "mea *nativos et fugitivos homines suos* invenerint illos juste et sine dilacione habeant." Chart. Kelso, No. 7.

(*i*) John, who became abbot of Kelso in 1160 A.D., granted to Osbern, *his man*, half a carucate of land in Middleham ; he becoming *legitimus*, or freeman, and paying yearly for the same eight shillings. Chart. Kelso, No. 116. This example shows how many of those cottagers became *lawful men*.

attached to the soil. Such was the condition of the men of Roxburghshire during those times (*k*).

There are a few other circumstances relating to the domestic husbandry of this shire which merit some notice. A ready supply of fuel is a great object. The woods furnished the earliest fuel before mosses were known or coal was discovered. The numerous woodlands of Roxburghshire supplied a large quantity of firewood as early as the reign of David I. (*l*). The mosses succeeded the woods as fuel in natural succession. Peats and turves came into use as woods became more valuable from exhaustion, and hence *peataries* and *turbaries* became objects of desire and of concession, by the kings and manor-lords, who possessed them (*m*). Pit-coal seems not to have been soon discovered in Roxburghshire, though it appears to have been early dug up in Lothian. The monks on the Tweed were too well informed of what was for their own interest not to know that *burning stone* abounded at Newcastle; and, when they sent their skins, and wool, and corn, to Berwick, it was easy to bring coals by their cottager's carts in return; as we have seen, in the performance of

(*k*) William the Lion granted to the monks of Kelso a carucate of land in Hawdene, with a toft in the manor thereof, "Et hominem eorum qui super toftum illam sedebit." Chart. Kelso, No. 405. Richard Germyn, the lord of Limpetlaw, conveyed to the hospital of Soltre, "Alanum filium Tock, et homagium suum, et totam sequelam suam." Chart. Soltre, No. 51. Berenger of Engaine granted to the monks of Jedworth a mark of silver, from the mill of Crailing two bovates of land, "*cum uno villano.*" This was confirmed by King William in 1169. Wallevus, comes, granted to the monks of Kelso, "Halden, et Willielmum fratrem ejus, et omnes liberos, eorum, et omnes sequeles." Chart. Kelso, No. 127.

(*l*) The monks of Melrose, Kelso, Dryburgh, and Jedburgh, had grants from David I. and his grandsons, of *wood* from their forests, both for burning and building. See their Chartularies, and the MS. Monasticon Scotiæ. We have already noticed grants of David I. of his *brushwood*, within Teviotdale.

(*m*) In 1128, David I. granted to the monks of Kelso, "mora de Edenham ad *fodiend. cespitis* "ad *faciend ignem.*" Chart. Kelso, No. 1. The lord of the manor of Farningdun, Roger Burnard, granted to the monks of Melrose, "quondam partem *Petariæ* meæ in territorio de Fermingdun, "quam ego cum multis aliis probis hominibus per easden divisas et easdem terminos, scilicet per "*lapides grandes* quas tunc perambulando posui per circuitum." Chart. Melrose, No. 50. This grant was confirmed by Alexander II. Ib. No. 51. Robert de Berkeley, lord of the manor of Maxton, granted to the monks of Melrose, "communia *focalia* ejusdem villæ tam in *turbaria*, quam "in *brueria.* Ib. 27. John Normanvilla, the lord of this manor, confirmed the former charter, which was granted between the years 1189 and 1199; and substituted *petaria* for *brueria.*" Ib. 30. David I. granted among other property to the monks of Kelso, within Redden, "*moram* ad *fodiend. turras* communes hominibus de Revedene sicut hominibus de Sprouston." Chart. Kelso, No. 13.

services. During a period of melioration, when territorial rights were strictly construed, *quarries* became also objects of desire and of grant (*n*). Thus progressively prosperous were the domestic affairs of Roxburghshire, from the accession of Edgar to the demise of Alexander III.; a long period of justice, and of melioration, its best effect.

But with the demise of Alexander III., without issue, commenced warfare and anarchy, which lasted with little interruption during three hundred years. In that odious period of wretchedness we hear the monks incessantly cry out, *Diram guerram!* Oppressive war! It became the very object of those hostilities not to improve, but to waste; not to save but to destroy. Agriculture was ruined, and the very necessaries of life were lost, when the principal lords had scarcely a bed to lie on (*o*). From the accession of King James to the Union, what was there in Scotland but an enfeebling fanaticism, civil wars, factious ebullitions, and debasing indolence, with the consequential penury (*p*). The Union is supposed by intelligent men not to have shed the happiest influences on this county. The people of Scotland were not prepared, either with skill, or spirit, or stock, to benefit from the Union. It required forty years to acquire habits, and knowledge, and capital, to enable them to profit from the quiet, the security, and the advantages, which at length resulted from *the Union*, the happiest event in their annals.

It is now time to trace within this shire the resuscitation of agriculture, the progress of improvement, and the effects of industry. In vain were treatises

(*n*) Towards the end of the 12th century, Robert de Berkeley, the lord of the manor of Maxton, granted to the monks of Melrose, "*petram quadrature* meæ de Alverdene ad sufficientiam ad "ædificia domus de Melros ædificanda." Chart. Melrose, No. 27. John de Normanvilla repeated the same grant during the reign of Alexander II., of "petram *quadrariæ* nostre Alverdene ad œdificia "domus de Melros sufficienter œdificanda." Ib. No. 30.

(*o*) Sir Ralph Sadler gave his master Henry VIII., during the year 1543, a genuine picture of the wretchedness of Scotland, when he wrote Lord Suffolk that, "In my Lord Angus's house, where he is "I cannot be, being the same (as I am credibly informed) is in such ruin as he hath there scant one "chamber for himself and my lady his wife, and likewise my lords of Glencairn and of Cassils, which "devell twenty miles asunder, and almost thirty miles from my Lord of Angus, be not so well housed "as they can spare me any lodging." Sadler's Letters, 442. We may observe that the lords who had scarcely beds to lie on were the pensioners of Henry VIII., and the friends of his agent Sadler. The farmers of Roxburghshire, with their wives, are at present better fed and better lodged than those great lords were in 1543.

(*p*) Yes; the laird of Makerstoun issued an advertisement on the 23d of October 1598, "that he would undertake to make the land more profitable by sowing salt on it." Birrel's Diary.

published to teach the husbandmen their duties in their proper business (*q*). In vain were societies formed for instructing and animating the farmers. The husbandmen had derived no stock from their fathers; they had no permanent leases from the land-owners; and they were dispirited by insecurity and degraded by want. Those various means were, however, attended with some beneficial effects. Before the year 1743, "the practice of draining, inclosing, "summer-fallowing, sowing flax, hemp, rape, turnip, and grass seeds, plant-"ing cabbages after, and potatoes with the plough, in fields of great extent, "was generally introduced (*r*)." Almost one half of the eighteenth century had elapsed before the vigorous practice of improved husbandry was introduced into Roxburghshire (*s*). Doctor John Rutherford was the first who adopted in 1747 the sowing of turnips. Yet a regular system of cropping was not generally adopted here till 1753, when Mr. Dawson a farmer to whom Roxburghshire owes much for showing several useful examples, began the practice of the turnip-husbandry, which has long been universal in this shire (*t*). Doctor Rutherford had also the merit of introducing soon after the sowing of grass. Potatoes were about the same time introduced. Drill-ploughing was adopted. From such beginnings was the old plan of husbandry relinquished and the new begun, which, in this county, is supposed to be carried to its height (*u*). Sir Gilbert Elliot and Mr. Dawson, introduced marle as a manure in 1755; and in 1772 marle was first exposed to public sale. About the year 1755, lime was first laid upon the land as a manure. In 1737, Mr. Rogers, at Cavers, introduced *fans* for winnowing corn. When Wight made his agricultural survey of this shire, about the year 1773, by the direction of the board of trustees for fisheries, he found the farmers busy in the practice of the improved husbandry (*x*). When he took a second survey of this shire, about the year 1780, "he was amazed at the advances all had made since his former survey; "as every field had assumed a better aspect from an improving hand (*y*)." In consequence of all those meliorations, the rents of lands in this shire doubled in the twenty years which elapsed with 1794 (*z*)."

(*q*) See Lord Belhaven's *Advice to the Farmers of East-Lothian*, 1705-6. A Treatise on fallowing, raising grasses, hemp, flax, etc. published by the Society of Improvers, Edinburgh, 1724. An Essay on the ways and means for inclosing, fallowing, and planting Scotland, 1729. The Interest of Scotland considered, 1733.

(*r*) Maxwell's Transactions of the Society of Improvers.

(*s*) Agricult. View, 34. (*t*) Id.

(*u*) Agricult. View, 37; Survey, 90-1-6; Stat. Acco. xxi. 30.

(*x*) Wight's Reports. (*y*) Ib. vi.; Survey, x. (*z*) Agricult. View, 13.

During the good old times of David I. and his grandsons, we have seen that every hamlet had its *common*, without which the cottagers could have scarcely existed. The parliament which, during the middle ages, had made some inefficient laws in favour of agriculture, enacted a statute for a general enclosure in 1695. Yet it was not till 1739 that this law began to be executed in this shire. Smailholm parish had the honour to begin the dividing of commons, and appropriating the parts, and such has been the effect of this example, that there are now no commons in Roxburghshire, which once had commons every where, as we have seen (*x*).

Of horticulture, David I. also shewed an introductive example at his castles of Roxburgh and of Jedburgh. The monks at their several abbeys had their gardens and orchards as early as the twelfth century. Melrose is still famous for its gardens, and Jedburgh for its fruit (*y*). One of the largest nurseries for shrubs and trees within this kingdom, was established in 1729, at Hassendean, in Minto parish, by Mr. Dickson, who left his establishment to his children. They have extended it to Hawick, to Leith, to Perth; and they supply plants not only for domestic improvement, but for foreign export (*z*).

Much as the cultivation of corn has been extended, yet Roxburghshire continues to be a county of very extensive pasturage. Every year six thousand stall-fed beeves are sent to the shambles (*a*). Its extensive sheep-walks breed very numerous flocks of sheep. The year 1760 is the epoch of the melioration of the sheep by foreign mixtures, by more attention, and better pasturage. Nearly a hundred thousand sheep and lambs are annually sold, of the value of £55,000 (*b*). The breeding of swine is doubled during the last thirty years, and furnishes a small export of their flesh from Berwick to London (*c*). Poultry, pigeons, and bees, yield considerable profit, and some export (*d*).

(*x*) The manor of Hawden in Sprouston parish, bounds with the manor of Carham in Northumberland. There were frequent contentions about their boundaries, and there still remains a common undivided, on the border between those two manors. Border Hist. 188.

(*y*) Milne, in his history of Melrose, 42, says that with other accommodations, there were gardens enclosed within a high wall about a mile in circuit. Stat. Acco. i. 11; Ib. ix. 80.: Agricult. View, 44; Survey, 117. At Gattonside, where the monks of Melrose had a grange, there still remains an orchard of five acres. Milne, 61. There are orchards in other places of this shire. Agricult. Survey, 117.

(*z*) Stat. Acco. xix. 572; Ib. viii 530.

(*a*) Agricult. Survey, 144.

(*b*) Survey, 153, 211.

(*c*) Ib. 182.

(*d*) Ib. 182-85.

The extent of the superficies of the whole shire, with its application and profit, may be stated thus:

	Eng. Acres.
Cultivated lands - - - - -	174,500
Gardens, nurseries, and pleasure grounds - - -	2,740
Planted woods - - - - -	5,000
Natural woods - - - - -	800
Pastures, moors, and mosses, with roads, sites of houses, and towns, channels of rivers, and lakes * - - - -	272,000
	455,040
The yearly value whereof, exclusive of the rents of houses, may be estimated at - - - - -	£182,250

The rivers and the streams of Roxburgh are full of salmon and trout, and the lakes of perch and pike. The fishings have from early times been objects of desire and of concession. Earl David, when he founded the monastery at Selkirk, gave the monks the *waters* as well as the *lands*, with the seventh part of the royal fishings, at Roxburgh (*e*). When David removed the whole establishment from Selkirk to Melrose, he confirmed his donation of the waters and of the fishings (*f*). He afterwards gave them the whole fishing in the Tweed, from Old Roxburgh to Brokestrem. David II. gave the same monks a fishing at Berwick. When the religious establishments on "the sweet wind-"ing Tweed," had performed their functions, and other proprietors came in their places, the fishings became their property, and equally the objects of their protection. The greater part of the salmon that are taken in the Tweed, which is the great scene of the fishery, is carried to Berwick, and is thence transported to London. The annual rent of the whole fishings in this shire is under £100 (*g*).

Connected with all those objects of domestic economy are roads and bridges. We see nothing of the Roman roads through this shire in the chartularies. In those curious documents, however, we have seen the carts and wains of the monks and their cotters, drawn sometimes by horses, and often by oxen, trudging along founderous roads to and from Berwick. During ages of rude-

* In 1886 the total area of land and water in Roxburgh was 428,464 acres. Of these, 47,865 acres were under corn crops (wheat, oats, peas, etc.); 27,186 acres under green crops (potatoes, turnips, etc.); 58,591 acres of grasses under rotation; 51,011 acres of permanent pasture; and 66 acres of bare fallow, or uncropped arable land. In 1886 the number of horses in the county was 4356; of cattle, 17,103; of sheep, 452,482; and of pigs, 3591.—*Ed.*

(*e*) Chart. Melrose [Kelso?], No. 4.

(*f*) Ib., No. 1. We may learn from Milne's Melrose, p. 58, that there was a good salmon fishing there in his time.

(*g*) Agricult. Survey, 19.

ness, and of warfare, policy did not allow of easy communications. Soon after the Union all former acts of the Scottish Parliament, with regard to ways were confirmed by one general Road Act (*h*). Yet the roads of Roxburghshire continued in a wretched state till 1764, which in this shire is the epoch of road-making. For that great improvement of agriculture, of manufacture, and of traffic, successive Acts of Parliament were obtained, and in the thirty years which elapsed after 1764, a hundred and fifty three miles of road in every commodious direction throughout Roxburghshire, were made on the principle of turnpike (*i*). The bridges on the Tweed, which for so many ages formed the boundary between hostile nations, were long the objects of conflict. At Old Roxburgh, there was in early times a bridge, which, as it was probably constructed with wood, was often destroyed during contests for the town (*k*). This was supplied by a bridge which was built at Kelso in 1754. At Bridge-end, two miles above Melrose, there was anciently a bridge over the Tweed, three pillars whereof were still standing in 1746 (*l*). Lower down, at Darnick, a very useful substitute for the former bridge has been built. Below Melrose, a mile, there was formerly a bridge over the Tweed opposite to Newstead (*m*). Still lower, at Drygrange, there has lately been erected over the same river a bridge of equal elegance and use (*n*). Since 1764, there have been no fewer than twenty-four stone bridges built within this shire, at an expense of forty-seven thousand pounds (*o*). Those roads and bridges, as they facilitate the introduction of fuel and manure, and the export of the products of husbandry, are of the greatest importance to agriculture as well as to traffic.

The earliest manufactures in this shire arose from providing food and raiment for a rude people. We have seen in the chartularies as early as the reign of David I., a very large manufacture of corn into meal, and malt, and ale (*p*). We have perceived the sheep washed and shorn; and we may easily

(*h*) 5 Geo. I., ch. 30. (*i*) Agricult. Survey, 198.

(*k*) In 1370, Edward III. ordered forty marks to be paid to the burgesses of Roxburgh, "pro "reparatione pontis ultra aquam de Twede." Ayloffe's Calendar, 234. In 1398, Sir Philip Stanley, captain of Roxburgh for the English king, claimed a bill of £2000 against the Earl of Douglas's son and others, for having broken the bridge of Roxburgh, fired and plundered the town, and destroyed their hay and fuel. Border Hist., 365. In 1410, Gavin, the son of the Earl of March, with others, broke down the bridge of Roxburgh, and plundered and fired the Town. Ib., 380.

(*l*) Milne's Melrose, 55. (*m*) Ib., 7. (*n*) Agricult. Survey, 200. (*o*) Id.

(*p*) Those articles are still manufactured in this shire to a great extent. Ib., 216. When the town of *Jedworth* swore fealty to Edward I., as we see the transaction in *Rayman-roll*, there were, among the townsmen, Robert le Mareschal, and Steven le Mareschal [*stablers*, I presume, according to

suppose that their wool was, by the women of every house, converted into clothing. This is the natural manufacture of a country which abounds with sheep. The fabrics of wool have begun and have made some progress. The great seat of the woollen manufacture is Hawick, which works up more wool into carpets, blankets, narrow cloths, flannels, stockings, rugs, table covers, and saddle covers, than all the rest of the county (*q*). This is an increasing manufacture at Kelso, Jedburgh, and other towns, in this shire. The linen manufacture of Roxburgh was formerly greater than it is now (*r*). There is, however, a manufacture of incle at Hawick, which seems to prosper, and works up yearly ten tons of linen yarn, and at Kelso, there is a fabric of coloured threads, which also does well under skillful management. Both tanned and white leather is manufactured in this shire, to a larger amount than the hides and skins which are produced in the county (*s*). Candles, too, are made in great abundance, and with sufficient skill; yet do not supply the consumption of the shire (*t*). The Glasgow manufacturers employ many hands in this district. It is apparent that when several manufactures are contending for superiority, the weakest must sink. The whole excise which was collected on the manufactures of this shire in 1795, amounted to £2,824 (*u*). From the amount of the excise which was collected in those two years, we may rationally infer that Roxburgh was thrice as industrious and opulent in 1795 as it was in 1656.

As an internal shire, Roxburgh could never boast of much foreign trade. Berwick-upon-Tweed, from the epoch of its settlement by a congenial people, formed the mart of this remote county (*a*). It received for export all the rude produce of the shire; and it imported, for the solace of a coarse people, the artificial products of foreign lands. This intercourse was so commodious to both parties, that the men of Teviotdale acquired some special privileges,

the phrase at Edinburgh], Rauf le Spicer [a grocer], Thomas le Tayllur, and Simon le Tayllur. When the aldermen and burgesses of Roxburgh swore fealty at the same time, there submitted with them Walter le *Orfevre* [goldsmith], Richard le *Forblaur* [cutler perhaps], Michael le *Saeler* [sadler perhaps], Austyn le *Mercer*. See Prynne, iii., p. 653.

(*q*) Agricult. Survey, 213; Stat. Acco., viii., 528.

(*r*) Milne's Melrose, p. 60. Of linen cloth there was stamped for sale, according to an average of the 3 years ending with 1789, - - 36,144 yards, - valued at £2,875 12 10.
Ditto with 1800, - - 28,507 yards, - valued at £2 667 1 3.

(*s*) Agricult. Survey, 215-16. (*t*) Id.

(*u*) Ib., 217. The whole excise collected in this shire, during the year 1656, was £99 11; MS. Advocates' Library.

(*a*) The charter of Malcolm IV. to the monks of Jedburgh speaks of the *merchants of Berwick*.

within Berwick-upon-Tweed (*b*). During the twelfth and thirteenth centuries, the exports of this shire consisted of its wool, its skins, and its hides (*c*). During the same period, its imports were made up of apparel, of groceries, and of wine (*d*). The principal seats of traffic are the towns. Besides Jedburgh and Roxburgh, there are in this shire, as we have seen, the market towns of Kelso, Melrose, Hawick, and Yetholm (*e*). The fairs, which all these enjoyed in ancient times, continue in the present. What was wanted from foreign parts was found in those fairs, in the days that are passed. In the present times, the fairs are very commodious scenes of buying and selling what domestic life demands. All these were appropriated by grants from the king; and without grants from him, none in those times could establish a fair (*f*). The fairs of Roxburgh, as they were in that age, and in less happy times, were places of great resort for mutual intercourse, and were converted into less peaceful scenes of national conflicts, between the Scots and English, while the one contended for superiority, and the other for independence. The fairs of the past have come down to the present times, though perhaps with some modifications. Few

(*b*) In Rym., v., 854, there is a writ of Edward III., dated the 8th June, 1356, "pro *hominibus* de *Teydale*." It recites their fidelity, since they had been within the king's allegiance; and it therefore grants them all the liberties and customs which their ancestors had enjoyed in the time of Alexander; and particularly all the liberties and privileges *within the town of Berwick* and every part of Scotland, as *they had formerly enjoyed*.

(*c*) Rolls Parl., iv., 471-3. In 1389 Richard II. granted to the monks of Melrose two shillings for every sack of Scottish wool which they should bring to Berwick; Ayloffe, 25. David II. granted to the monks of Melrose the custom of 50 sacks of *wool*. Robertson's Index, 154.

(*d*) Malcolm IV. conferred on the monks of Jedburgh an exemption at Berwick, on the importation of their wine. Engraved Charter of Jedburgh.

(*e*) The intelligent reader may judge of the value of tenements within those towns, during the middle ages, from the following notices: In 1464 Alan, the abbot of Kelso, granted a lease, "de duas *terras* nostras infra burgum de Gedworth, in vico de Castlegate;" paying yearly *one mark*. Chart. Kelso, No. 488. In 1475 Robert, the abbot of Kelso, granted, in fee, those two lands or tenements to John Rutherford, for the yearly payment of one mark. Ib., No. 496.

(*f*) There is a curious charter from William the Lion to the monks of Kelso, which illustrates the nature of the fairs in that age. The king granted to the men of the monks living in Kelso, that they might, any day of the week, except the day of the statute market of the king, sell fuel, building materials, and provisions; that they might expose to sale, in their own windows, bread and ale, and flesh. If they should carry fish to Roxburgh, either on horseback or in carts, which remained unsold, it should be lawful for them to sell such fish in their own windows; but carts bringing goods from any other place shall not there be discharged, but shall sell the commodity at the king's fair. On the day of the king's statute fair at Roxburgh, it was declared to be unlawful to buy any thing at Kelso; but should go to the statute fair, and buy there in common with the burgesses of Roxburgh. Chart. Kelso. No. 13.

counties can boast of a greater number of commodious fairs and weekly markets than Roxburghshire, every town seems to have its appropriate mart; but the greatest fair in the south of Scotland is held upon St. Boswell's Green, on the 18th of July, when the products of the shire are exchanged for foreign wares (*g*). In 1482, the whole commercial intercourse between Scotland and England was confined to the eastern road through Berwick, and to the western road through Carlisle (*h*). The enmity of those hostile ages did not admit of the commodious roads of the present times, through the middle mountains which are so mutually useful to the border people. The smacks of Berwick carry weekly to London much of the smaller products of Roxburghshire which are transmitted by egglers, higlers, and hucksters. The balance of trade, estimated according to the mercantile system in favour of the shire, after paying the rents, feeding the inhabitants, and fostering the cattle, is calculated at more than a hundred thousand pounds (*i*), which the skill and spirit of a people, animated by interest, and protected by law, must soon carry up to much greater profits.

The measures, the weights, *the fiers* of Roxburghshire partake of the dissimilarities of other counties of Scotland (*k*). The *fiers* in this shire are not of very ancient practice, nor are they ascertained by any appropriate practice, though they answer all the usual purposes of domestic dealings.

§ VIII. *Of its Ecclesiastical History.*] From the epoch of the bishopric of Lindisfarne, this shire, as a part of the Northumbrian kingdom, whose inhabitants were a congenerous race, formed a considerable district of that ancient diocese (*l*).

(*g*) Agricult. Survey, 206-8. The establishment of a branch of the Bank of Scotland at Kelso, in 1774, must have greatly promoted the various dealings of this shire, by its several facilities.

(*h*) By Stat. 22 Ed., iv., ch. 8. (*i*) Agricult. Survey, p. 209-12.

(*k*) In Roxburghshire the wheat, the pease, the rye, are sold by the boll, containing ten pecks, or within a fraction of five Winchester bushels; oats and barley are sold by the boll, containing fifteen pecks, or within a fraction of seven and a half Winchester bushels; oatmeal is sold by the boll, containing sixteen stones, or two hundred and fifty-six pounds Scots troy, or two hundred and eighty pounds avoirdupois. There is nothing to be found in the old jurisprudence of Scotland of the georgical practice, which is commonly called *the sheriff's fiers*, by which the average prices of victuals are ascertained in every shire. The practice did not any where begin earlier than the year 1627. When it began in the county of Roxburgh is uncertain. The *fiers* are, in this shire, settled by ascertaining the average prices of the several sorts of grain at the two terms of Lammas and Candlemas, for the crop of the preceding year. According to a seven years average of *the fiers* of Roxburghshire, ending with 1795, the price of wheat was £1 11s. 10½d. per boll.

(*l*) Anglia Sacra, ii., 698. Hoveden, 418-24; Simeon of Durham; Leland's Collectanea.

The people and their pastors submitted to the jurisdiction, and were edified by the piety of the bishops of Lindisfarne. With the decline of the Northumbrian kingdom and the translation of the seat of the bishopric in 995 A.D., the authority of both over this shire gradually disappeared. Yet is there some reason to believe that, during the episcopate of Ralph Flambard, the bishop of Durham, Teviotdale as well as Carlisle were still considered as dependencies of the see of Durham (*m*). The death of Flambard and the ascendency of David I. who annexed Teviotdale to the bishopric of Glasgow, may perhaps be considered as common epochs of an event which is very obscure.

The renovated bishopric of Glasgow rose upon the ruins of the fallen episcopate of Lindisfarne. At the twilight of record, we perceive many of the churches in this county to have belonged of old to the bishop of Glasgow (*n*). Upon the restoration of this diocese by the pious David, the whole of Roxburghshire, except a small part of it which lies on the northern side of the Tweed, along the Eden water, was placed under the jurisdiction of this ancient church (*o*). John, the first bishop after the restoration of this see, is supposed to have divided his diocese into two archdeaconries; but we know from record that this division did not happen till the decease of Hugh de Potter, the archdeacon of Glasgow, in 1238, when Teviotdale was erected into a distinct archdeaconry, owing to his dispute with William de Bondington, the bishop who had experienced the archdeacon's pertinacity. From this epoch Teviotdale enjoyed its own archdeacon, who regulated its clergy under the superintendence of the bishop of Glasgow (*p*).

(*m*) Sim. Dun. Col., 61; Anglia Sacra, i., 708. Ralph Flambard died in 1128; Chron. Melrose, 105. And in 1123 Pope Calixtus compelled John, the bishop of Glasgow, to return to his diocese. Ib., 164.

(*n*) *Inquisitio*, 1116, A.D.

(*o*) Ib.; Chart. Glasgow; and the Taxatio of the churches under Alexander II., in the Chart. of Arbroath. The district along the Eden, comprehending the parishes of Stitchill, Ednam, Smailholm, Makerstoun, and a part of Kelso, was included in the deanery of the Merse, and the bishopric of St. Andrews. The river Tweed formed the boundary between the two ample episcopates of St. Andrews and Glasgow, from the influx of Carham-burn to the confluence of the Leader with the Tweed.

(*p*) "An. 1238, obiit master Hugh de Potter, archidiaconus Glasguensis: Post cujus obitum "divisus est archidiaconatus: Magister Mathus de Aberden dictus est archidiaconatus de Glasgu; "et magister Petrus de Alingtun, vocatus est archidiaconatus de Thevidal." Chron. Melrose, 203. Peter de Alintun died in 1242, and was succeeded, as archdeacon of Teviotdale, by Reginald de Irewin. Ib., 206. Reginald de Yrewin, the archdeacon of Teviotdale, was a witness to a charter of Alexander II., in 1244. Chart. Glasgow, 225. Nicholas Moffat, the archdeacon of Teviotdale,

The dean of Glasgow with the chapter sat in the cathedral of Glasgow, and performed their usual functions. But there was also a dean of Teviotdale who exercised a more limited power, in subordination to his bishops, with the occasional assistance of the rural deans (*q*). All those officers continued to exercise their several functions as they were similarly exercised in England, till the Reformation; when they were superseded by superintendents, synods, and presbyteries. The origin of parishes is undiscoverable among the obscurities of the seventh century, when the truths of Christianity and the polity of an ecclesiastical establishment were introduced among the Northumbrian Saxons. Parishes we see, in fact, established when the sun of record arose to illuminate a darksome age.

Within sixteen years after the erecting of the episcopate of Lindisfarne in 635 A.D., a religious house was established in a peninsula on the southern bank of the Tweed (*r*). This site acquired its well known name from its peninsular location, which is formed by a reduplication of the Tweed (*s*). And the Celtic Maol-ros signifies in that descriptive language the naked promontory (*t*). On the death of Aidan in 601 A.D. the celebrated Cuthbert entered the monastery of Melrose as a monk under Boisil. This house was for many ages the seat of piety and the source of usefulness to the people during those

was postulated bishop of Glasgow, in 1260; but he was rejected by the Pope, who promoted to this see John de Sheyam. Keith, 142. In the Chartulary of Soltre, No. 42. we may see John de Muskelburgh, the official of Teviotdale, as a witness to a charter of Fluria, "relicta quondam domine Ade Quintin;" giving to that hospital the lands of Wellflat, in the district of Limpetlaw. The official was a church lawyer, whom the archdeacon appointed as his substitute.

(*q*) During the administration of bishop Jocelin, from 1174 to 1180, Teviotdale was then a *deanery* under his jurisdiction. Chart. Glasgow, 53. Bagimont's Roll recognizes the *deanery* of Teviotdale.

(*r*) Bede, l. iv., c. 27; ib., l. v. c. 12.

(*s*) Bede describes very accurately the site of Old Melrose; "Quod Tuidi fluminis circumflexu "maxima ex parte clauditur." Smith's Bede, p. 195.

(*t*) *Moel*, in the British, and *Maol*, in the Irish, signify bald, naked, bare. Davis, Owen, O'Brien, Shaw. *Rhos*, in the British, and *Ross*, in the Irish, mean any projection; and hence it is applied to a promontory. So *Ross* derived its Celtic name from the remarkable projection of the land into the Moray Frith; and *Ross*, in Herefordshire, probably derived its name in the same manner from a promontory which is there formed by the winding of the Wye. This ancient word, both in the British and Irish, may be found in the names of several places both in North and South Britain. This famous name may indeed be a remnant of the speech of the original settlers, which was continued by the Irish monks who first inhabited this house, from its sameness to their own congenial language. *Mell-rhos*, in the British, signify the *projection of the meadow: Mell*, in the British, signifying any projection, and *Rhos*, a meadow. Davis and Owen.

benighted times. But at length the lamp of piety burnt dimly; and the efforts of usefulness gradually languished. The house became ruinous, and its establishments seem to have been granted to the monks of Coldingham, during those religious times, when the monks had much to ask and the kings and barons much to give. A hamlet, which is now called Old Melrose still marks the site of the ancient house.

David I., in 1136 refounded this monastery for Cistercians on a different site, about two miles westward on the same bank of the Tweed (*u*). That munificent prince conferred on the objects of his favour a church, extensive lands, and numerous privileges (*x*). In 1192, Jocelin, the bishop of Glasgow, granted to the monks of Melrose the church of Hassendean with its lands, tithes, and other emoluments for establishing here a house of hospitality. They now settled a cell at Hassendean, wherein several of the monks resided for executing the sacred trust of receiving the pilgrim and relieving the stranger (*y*). The monks of Melrose thus became in those times large proprietors with numerous tenants; great husbandmen, with many granges and numerous herds (*z*). Pope

(*u*) The church which stood at Melrose before the year 1136, appears to have belonged to the monks of Coldingham. When David resolved to refound the monastery of Melrose, he obtained from those monks the ancient church, and gave them in exchange the church of the Virgin Mary in Berwick. Chart. Coldingham, 2.

(*x*) David granted to this monastery the lands of Melrose, of Eildon, and of Dernwie, the lands and wood of Gattonside, with the fishings of the Tweed along the whole extent of those lands; with the right of pasturage and pannage in his forests of Selkirk and Traquair, and in the forest lying between the Gala and the Leader, and also the privilege of taking wood for building and burning from the same forests. Chart. Melrose, No. 54. This charter was confirmed by Earl Henry. Ib., No. 515. These charters are published in Hutchinson's Northumberland, 1 Apx. 3-12. David, and his successors, and his subjects, bestowed on the monks of Melrose other lands and privileges, and churches, so that, in the course of the 12th and 13th centuries, they had accumulated vast possessions and various immunities. They had much other property in Ayrshire, Dumfriesshire, Selkirkshire, and Berwickshire. Chart. Melrose.

(*y*) The pious Jocelin granted Hassendean to those monks, "ad susceptionem pauperum et "peregrinorum ad domum de Melrose venientum." Owing to that grant, the old tower of Hassendean was called "Monks Tower," and the farm adjoining the church is still called "Monks Croft." Chart. Melrose, No. 76; Milne's Mel., 34; Stat. Acco., xix. 572. The fact is that the monastery of Melrose was a sort of *inn* to some of the greatest men of that age. In 1177, died Walter, the son of Alan, dapifer regis, *familiaris noster*. Chron. Melrose, 174. In 1185, died Robert Avenel, *familiaris noster*. In 1189, died Richard de Morvil, constabularis regis, *familiaris noster*. Chron. Melrose.

(*z*) At the reformation, when the monks were obliged to give in their rentals, the monastery of Melrose enjoyed £1758 in money, besides a large quantity of victual, poultry, salt, butter, peats,

Lucius, who governed the universal church from 1181 to 1185, by his bull prohibited all persons from exacting tithes from the monks of Melrose (*a*). In 1184, was settled by William the Lion, assisted by his bishops and barons, a pertinacious controversy which had long existed between the monks of Melrose, and the men of Wedale upon the Gala water, with regard to two objects of great importance in that age, *pannage* and *pasturage*, under the several proprietors (*b*). This settlement was emphatically called, in those times, *the peace of Wedale.* Yet during such times it was almost impossible to prevent disputes among cattle drivers and swine herds. Their superiors interested themselves, and contest was sometimes carried up to tumult, when lives were lost. John of Ednam, the abbot, and many of his conventual brethren were excommunicated by a provincial council which sat at Perth in 1269 (*c*). In 1215, the Yorkshire barons, who were confederated against King John, swore fealty to Alexander II. in the Chapter-house of Melrose Abbey (*d*). As Melrose stood near the hostile border, it was usually involved in the rancorous conflicts of ancient times (*e*). While Edward I. remained at Berwick, in August 1296, after all in Scotland had submitted to his sovereignty, he issued a writ of restitution of the property of the abbots of Melrose, Kelso, and Jedburgh, of the masters of the hospitals of Rutherford, and of Hatun or Highton, and of several persons in Roxburghshire (*f*). As those writs of restitution were addressed to the sheriffs of seven shires in Scotland, and to the sheriffs of Northumberland and Cumberland, we may easily suppose what extensive estates belonged to them in that age. After the treaty of Northampton in 1328, Edward III. issued similar writs of restitution to those abbots of the pensions and the lands which they held in

and carriages. Milne's Melrose, 30. The whole was transferred from the monks, who had done some good and were beneficent masters, to the courtiers, who, with much selfishness, never did any good with the property which they acquired from the plunder of ancient establishments.

(*a*) Chart. Newbotle, No. 168. (*b*) Chron. Melrose, 176.

(*c*) They, it seemeth, had violated *the peace of Wedale,* had attacked some houses of the bishop of St. Andrews there, and had murdered one ecclesiastic and wounded many others. Fordun, l. x., c. 25; Chron. Melrose, 241.

(*d*) Border Hist., 123.

(*e*) In 1295 Edward I. granted the monks of Melrose a protection. Ayloffe's Cal., 3. In 1322 it was burnt, and several of the monks, with William de Peeblis, their abbot, were slain by Edward II. Milne's Melrose, 19; Bord. Hist., 271. Robert I., in 1326, made a most munificent grant for rebuilding this abbey; he gave them £2000 sterling from his revenue of wards, reliefs, marriages, escheats, and fines, within Roxburghshire. This grant was confirmed by David II. in 1369. MS. Monast. Scotiæ. The royal grants evince that Robert Bruce was a very generous patron of this abbey. Robertson's Index.

(*f*) Prynne, iii., 665; Rym., ii., 723.

England; and which the king's father had seized during the late war (*g*). Edward III. came from Newcastle in 1341 to keep his Christmas festival in Melrose abbey (*h*). In 1348 the same king issued a writ, "de terris liberandis abbati de Meaurose," to deliver to the abbot his lands (*i*). Richard II., in 1378, followed the example of Edward in granting a protection to the abbot and convent of Melrose (*k*). Yet in 1385 Richard, when he made his expedition into Scotland, burnt Melrose and other religious houses in that vicinity (*l*). Waste was, during a rude age and a rancorous warfare, so much the object of hostility, that nothing could restrain the contending parties. The indemnity for the past destruction was followed in 1390, by another protection from Richard to the abbot and convent (*m*). The history of this religious house may be divided into three periods: From its erection in the seventh century, till its translation by David in the twelfth century, during which period it was probably built of very slight materials; from the twelfth century to the fourteenth, it was erected in the more massive style of the latter age; and, lastly, from the accession of Robert Bruce, who granted a revenue for the purpose of its restoration, to the reformation, during which period was erected that noble structure, the ruins whereof are admired by every judicious eye. During this last effluxion of time, it must have received many shocks. But, it was in the reign of Henry VIII. and Edward VI., and Elizabeth, whose statesmen and whose warriors were as egregious fanatics as John Knox, that this admirable edifice was completely ruined (*n*). The English commanders were studious to leave details of the destruction that they committed, which only perpetuates their own disgrace (*o*).

In the midst of all those wars, the men of the abbot of Melrose were exempted

(*g*) Prynne, iii., 373. (*h*) Border Hist., 331.

(*i*) Ayloffe's Cal., 200. In 1334 Edward III. granted a protection to the several abbeys on the borders, as Melrose, Kelso, Jedburgh, and Dryburgh. Ib., 237.

(*k*) Ib., 241.

(*l*) Milne's Melrose, 20; Bord. Hist., 355. For this destruction, however, the monks were indemnified, in 1389, by a grant of two shillings on a thousand sacks of wool, being the growth of Scotland, which they should send to be exported from Berwick, the duty of two shillings to be allowed out of the custom due to the king of two shillings on each sack of wool, and from the custom on hides and woolfels exported from Berwick. Rym., vii., 646.

(*m*) Ayloffe's Cal., 257.

(*n*) In 1545 a great part of this monastery was destroyed by Sir Ralph Eure and Sir Bryan Layton, who were pursued and beat on Ancrum Moor. Milne's Melrose, 20; and Bord. Hist., 552-3. In the same year Melrose with its monastery was again wasted by the English army, under the Earl of Hertford. Ib., 554.

(*o*) See the State Papers of Haynes and of Murden. In 1541 James V. solicited and obtained, by a sacrifice of his public policy to his private feelings, from the Pope the monastery of Melrose,

from serving the king. Yet the abbot allowed them to fight under James, the Stewart of Scotland, during the succession war; and again he permitted them to fight for David Bruce, under Walter the Stewart, who strenuously supported that infant prince (*p*). From the foundation of the monastery there seems to have existed, owing to mutual benefits, a very intimate connection between the Stewarts of Scotland and the abbots of Melrose.

At the epoch of the Reformation, the legal act which forfeited the religious houses invested the whole with their lands, and rights, and privileges in the crown (*q*). They were annexed to the crown by statute, with design that they should never be disjoined, and hence so many Acts of Parliament for dissolving that annexation, in order to enable the king to reward merit or to gratify favouritism. The lands and tithes which had belonged to Melrose Abbey were granted by Queen Mary to James Earl of Bothwell, who lost them by forfeiture in 1568. James Douglas, the second son of William Douglas of Lochleven, was now created commendator of Melrose by the influence of the well known Earl of Morton. Those great estates, though with some exceptions, were at length granted to some merit. They were erected into a temporal lordship for Sir John Ramsay, who had powerfully protected James VI. from Gowrie's rapier (*r*). The greatest part of those estates was given to Sir Thomas

in addition to that of Kelso, to be held in *commendam* by his natural son James. Bord. Hist., 542. What the frequent wars and the dilapidations of improvidence had left, was destroyed in 1569 by the fanaticism of the reformers. Milne's Melrose, 22.

(*p*) On the 18th of June 1332, Walter, the Stewart of Scotland, declared that whereas the men of the abbot of Melrose were not bound to serve the king, yet had served the king for two years, by the special grace of the abbot and convent, and that the leading of them belonged to one appointed by the abbot, yet had allowed them to serve under his command, this should not be drawn into a precedent. There had been a former declaration to the same effect, by James the Stewart, soon after the demise of Alexander III., and those declarations were confirmed by the Duke of Albany, locum tenens, on the day of the feast of James the Apostle, 1403. Simpson's MS. Col. in the British Museum. We thus see the address by which the men of the monasteries were brought into action, though they were exempted by charters and customs.

(*q*) The revenues of Melrose Abbey were variously stated at that epoch. In the books of the Col. of *the thirds*, they are recorded as consisting of £1758 money Scots; wheat, 19 chalders, 9 bolls; beer, 77 chalders, 3 bolls; oats, 47 chalders, 1 boll, 2 firlots; meal, 14 chalders; with 8 chalders of salt; 105 stones of butter; 10 dozen of capons; 26 dozen of poultry; 376 muir fowls; 340 loads of peats; 500 carriages. MS. Account of Religious Orders in Scotland. Lach. Shaw. Out of this large revenue, there were assigned 20 marks to each of eleven monks and three portioners; also four bolls of wheat, one chalder of beer, two chalders of meal, Teviotdale measure, to the monks. Keith's Apx., 186.

(*r*) Milne's Melrose, 32. Crawf. Peer., 181. On the 24th June 1609, an act passed for erecting the abbey of Melrose and its possessions into a temporal lordship. Unprinted Acts of that date.

Hamilton, who, from his eminence as a lawyer, rose to high rank and great opulence, and who was created Earl of Melrose in 1619 (*s*). This title the Earl of Melrose afterwards exchanged for the Earldom of Haddington (*t*). The abbey and its domains were acquired in more recent times by the family of Buccleuch. Such, then, were the origin, progress, and the fate of the monastery of Melrose, according to the successive passions of the people during nine centuries of various change.*

The monastery of Kelso was founded in a much later age, yet has undergone similar elevations and depressions during ages of rudeness and warfare. This establishment, by the piety of Earl David, was originally settled at Selkirk for monks of the order of Tyrone, in honour of Mary and John the Evangelist. Neither the founder nor the monks, however, were pleased with the original location of this house, and in 1128 the zeal of David, by the advice of John, the bishop of Glasgow, removed this establishment from its first site to Kelso, on the northern bank of the Tweed, nearly opposite to Roxburgh, a place of happier aspect and nearer the royal residence in Roxburgh castle (*u*). The position of the town of Kelso is a pretty large plain on the Tweed, having at some distance a semicircular bank both on the south and north of the village. It seems to have derived its ancient name of *Calchow* from a *calcarious eminence,*

Sir John Ramsay was created Viscount of Haddington in 1606, and Earl of Holderness in England. When he died in 1625 without issue, those estates fell to the crown.

(*s*) Dougl. Peer., 318. On the 4th of August 1621, was passed an act of ratification to the Earl of Melrose, of his infeftment of Melrose, with a new dissolution of the annexation to the crown. Unprinted Act of that date.

(*t*) Spottiswoode, 453, and Keith, 255. The patronage or advowson of the parish church of Melrose seems to have followed those several grants. After the death of the Earl of Holderness in 1625, when the property returned to the crown, the patronage of the church of Melrose with other rights, were granted to Walter the Earl of Buccleuch. For the ruins of this magnificent abbey see Grose's Antiq., i. 120—31, and Cardonnel's Antiq., pl. 20, 21, 22. There is a brief history and a drawing of Melrose Abbey in Hutchinson's Northumberland, i. 282—99. The appearance of this magnificent structure without struck Hutchinson with admiration, as its sordidness within incited his indignation. A recollection of those splendid ruins induced Hamilton of Bangour to exclaim, in his Ode to the Earl of Stair,

"Or with the sacred sisters roam,
Near holy *Melrose* ruin'd dome."

The Duke of Buccleuch, the munificent proprietor of those ruins, has directed a new church to be built for the parish, and Melrose Abbey to be preserved for the public admiration.

* See further, the introductions to the "Liber" and "Chronica" of Melrose, Bannatyne Club; Morton's Monastic Annals of Teviotdale; Wade's St. Mary's Abbey, Melrose, 1861; Billing's Baronial Antiquities of Scotland; Jeffrey's Roxburghshire v. 4; and Pinches' Melrose, 1879.

(*u*) An. 1128, fundata est ecclesia de Kelchehow. Chron. Melrose, 165.

which appears conspicuous in the middle of the town and which is still called *the Chalk-heugh* (*x*).

The king confirmed, in 1128, the former grant of the earl, and he now gave the objects of his bounty more lands, many privileges, and much property (*a*). Robert, the bishop of St. Andrews, within whose diocese the new monastery was placed, conceded to the king, in order to promote his purpose, the church of the Virgin Mary on the bank of the Tweed at Calcow (*b*). In 1144, David I., as if his munificence could have no bounds, granted to those monks many other privileges. He gave them the monastery of Lesmahagow, with all its lands and all its *men;* and also the privilege of sanctuary, which the monastery of Lesmahagow already enjoyed (*c*). Malcolm IV. and William confirmed those several grants of David I. The barons followed the pious, perhaps, the profuse example of the kings, in their donations to the monks of Kelso. Before the end of the thirteenth century this monastery had amassed vast property and extensive privileges (*d*). David II. granted to the monks of Kelso the whole forfeitures of all the rebels within Berwick (*e*). Owing to all those

(*x*) *Calch* in the British, and *Calc* in the Irish, signifying *chalk*, lime, or other calcareous matter. See Davis and Owen, O'Brien and Shaw; and hence, probably, the *Cealc*, in the Saxon of Somner, signifying the same matter, from which Johnson derives the English *chalk*. The Northumbrian Saxons who settled here continued perhaps the British name, with some slight change. So *Calch-how* would descriptively mean the *chalk-height*, the A.-S. *Ho* or *How* signifying a hill or height. See Lye in vo. *How*, and Spelman in vo. *Hoga*.

(*a*) David granted to the monks of *Calkow* the manor of Calkow, according to its proper boundaries, all the churches and schools of Roxburgh with their pertinents, some burgages within the same town, forty shillings yearly, "de censu de Roxburgh," with the seventh part of the fishing, twenty chalders of victual from the mills of Roxburgh, twelve chalders of malt from the mill of Ednam yearly, with liberty to dig turves from the moor for firing, and also several manors, lands, pasturages, fishings, salt-works, churches, &c. Chart. Kelso, No. 1.

(*b*) In this grant the bishop of St. Andrews granted to the abbot and monks the privilege "a quo-"cunque episcopo voluerint in Scotia, vel in Cumbria, crisma suum et oleum et ordinacionem, ipsius "abbatis et monachorum et cetera ecclesie sacramenta accipiant." *Cumbria* here means the bishopric of Glasgow, as there was no bishopric of Carlisle till 1132 A.D.

(*c*) Chart. Kelso, No. 8.

(*d*) From a detail at that epoch, it appears that there then belonged to the monks of Kelso the monastery of Lesmahagow with its dependencies, thirty-four parish churches, several manors, many lands, granges, farms, mills, breweries, fishings, salt-works, and other possessions, all which were spread over the several shires of Roxburgh, Selkirk, Peebles, Lanark, Dumfries, Ayr, Edinburgh, and Berwick, with the Church of Culter, as far north as Aberdeenshire. See the Chartulary of Kelso.

(*e*) Robertson's Index.

grants, the abbot of Kelso was more opulent than most of the bishops in Scotland.

In the abbey church of Kelso was buried, on the 12th of June 1152, Earl Henry, the son and heir of David I. A truce between the contending nations was made at Kelso in 1401. In 1460, after James II. was slain at the siege of Roxburgh castle, his infant son, the ill-fated James III., was crowned in the abbey church of Kelso, where his nobles swore all those oaths which degenerated into perjury (*f*).

Not satisfied with wealth, the abbot aimed, and not without success, at honours. In 1165, the pope gave him a mitre (*g*). In the rolls of the Scottish Parliament, the Abbot of Kelso stood the first, and the Abbot of Melrose the second (*h*). They both concurred in offering the Maiden of Norway, their *dear dame*, in marriage to the son of Edward I.; a transaction which ended in many calamities to themselves and their countrymen. On the 20th of August 1296, Richard, Abbot of Kelso, with his convent, and Patrick Abbot of Melrose, with his convent, swore fealty to Edward I. at Berwick; John, Abbot of Jedburgh, with his convent, made their submissions at the same time, and at the same place of degradation (*i*).

Whatever shocks this religious establishment may have sustained during the wars of Edward I. and his feeble successor, Edward III. appears seriously to have wished to protect it (*k*).

Like the other places of note lying so near the southern border, the monastery of Kelso suffered from the ravages of the English commanders, during an age when they avowed that waste was the object of war (*l*). In after times, fanati-

(*f*) Chron. St. Crucis; Border Hist., 370; Ib., 422.

(*g*) An. 1165, Johannes abbas Calkoensis venit de Roma *mitratus*. Chron. Melrose, 170. In 1201 John of Solerno, the Pope's legate in Scotland, issued a mandate to the bishops, requiring them to visit the churches which the monks of Kelso enjoyed, "in proprios usus," according to the canon of the Lateran Council. Chart. Kelso, No. 444; Lord Hailes' Councils, 7.

(*h*) Rym., ii., 471.

(*i*) See Ragman-roll in Prynne, iii., 653. Edward I. immediately issued a writ of restitution of all the lands and other property which belonged to those abbots. Ib., 665.

(*k*) In 1367 Edward issued a writ "de protectione pro abbate et conventu de *Kellesowe*, in Scotia." Ayloffe's Cal., 229. We here see that the name had been already softened down, from *Calk-how* nearly to *Kelso*. He issued another writ in 1369. Ib., 232. In 1374 he gave a third protection. Ib., 237.

(*l*) David II., whose weaknesses brought so many calamities on his kingdom, gave permission to the monks of Kelso, whose house had been burnt by the English, to cut wood in Selkirk and Jedwerth forests for its reparation. Robertson's Index, 63.

cism came in aid of hostility. In 1542, Kelso, with its monastery, and also the neighbouring villages were burnt by the Duke of Norfolk (*m*). In 1545, what the torch had left unconsumed was spoiled by the Earl of Hertford (*n*), and we may thus perceive that little remained of the monastery of Kelso at the approaching burst of reform for the tumults of Knox to destroy. Much, however, remained for the crown to obtain by forfeiture, and for the rapacity of the courtiers to receive by grant (*o*). Soon after that great epoch the monastery of Kelso was given to Francis, Earl of Bothwell, whose ingratitude was quite equal to the king's facility. The forfeiture of the treasonous Bothwell in 1594 left the property open for the solicitation of Sir Robert Ker of Cessford to whom it was granted in 1605 with many churches and manors (*p*). The great estates which the Kers of Cessford thus acquired came down by various transmissions to the Duke of Roxburgh, who also enjoys the title of Earl of Kelso (*q*).*

Some religious establishments had remained, as we have seen, upon the Jed, from the ninth century under the names of Old and New Jedburgh. In 1147, David I., with his usual zeal for ecclesiastical settlements, founded at Jedworth a monastery for canons regular, who were brought from Beauvais and planted near his royal castle on the Jed (*r*). The munificent founder gave to the objects of his bounty the tithes of the two Jedworths, of Langton, of Nisbet,

(*m*) Border Hist., 540.

(*n*) Ib. 554. For the state of the ruins of Kelso monastery, see Stat. Acco., x. 579—81; Hutchinson's Northumberland; Pennant's Tour; and Grose's Antiquities, i. 113—15.

(*o*) The revenues of the abbey of Kelso were variously stated in that age. The following state from the book of the Col. of *the thirds*, may be probably near the truth. The incomes of Kelso and Lesmahagow (a cell of Kelso), in Clydesdale, are valued at £3,716 1s. 2d., Scots money: 9 chalders of wheat; beer, 106 chalders and 12 bolls; oats, 4 chalders and 11 bolls; meal, 112 chalders, 12 bolls, and 3 firlots. MS. Account of Religious Orders in Scotland. Lach. Shaw. About the 22nd of August 1566, the abbot of Kelso of the name of Ker, was slain by the laird of Cessford, the younger, "hes awen kinsman, and hes frendes," saith Birrel. Diary, 5,

(*p*) Crawfurd's Peerage, 432. In 1639, the Earl of Roxburgh surrendered to the king twenty churches, the tithes and advowsons thereof, which had belonged to the abbots of Kelso.

(*q*) Douglas Peer., 596. In 1749, the Duke of Roxburgh received as compensation for the heritable office of baillie of the regality of Kelso, £1,300 sterling. MS. Orig. Return. On the 8th of June 1594, a declaratory act was passed concerning the annexation of Kelso and Coldingham. Unprinted Act of that date. On the 11th of June 1607, an act passed erecting Kelso into a temporal lordship, in favour of Lord Roxburgh. Unprinted Act of that date. A new act passed on the 4th of August 1621, in favour of the Earl of Roxburgh, concerning Kelso and Lesmahagow, with a new dissolution of its annexation to the crown. Unprinted Acts of that date.

* See further, Morton's Monastic Annals of Teviotdale; Haig's Account of Kelso, 1825; the introduction to the "Liber" of Kelso, Bannatyne Club; Billing's Baronial Antiquities; and Jeffrey's Roxburghshire, v. 3.

(*r*) Innes's MS. Chronology. An. 1174, Obiit Osbertus *primus* abbas de *Jeddewrtha*, cui successit Ricardus ejusdem *Cellarius*. Chron. Melrose, 173.

of Crailing, the multure of the mill of Jedburgh, a saltwork at Stirling. To those extensive grants Malcolm IV. added the churches of Brandon and Grendon in Northamptonshire, some lands and a fishing on the Tweed, and an exemption from custom on their wine at Berwick (*s*). We may perceive from those various charters that the canons regular of Jedburgh were very amply endowed in those early times when religion had a great effect on the morals and manners of men.

Seventy years' enjoyment, however, brought vexation in its train. The monastery of Jedburgh lay within the diocese of Glasgow, and the bishop was not likely to yield to the abbot either a point of right or the palm of perseverance. Many altercations in respect to their dignities, liberties, customs, rents, churches, vicarages, lands, pastures, and other such desirable things were at length brought to a quiet end in 1220 by the arbitration of five discreet referees within the chapel of Nesbit before many auditors. The abbot and his canons were directed to obey the bishop or his official in all canonical matters, in a canonical manner, saving their mutual privileges. The chaplain of the parish church of Jedburgh was directed to yield appropriate obedience to the bishop or his official when they should come to perform episcopal offices in that church. The abbot was directed, according to ancient custom, to attend by himself or by his procurator at the festival of the dedication of the church of Glasgow. When summoned, he was not to omit attendance at synods. The canons were ordained to provide fit accommodations in their churches where the bishop might conveniently perform his visitations, except where the vicarage was only worth ten marks. And some other points of less consequence were at the same time settled; in order to leave nothing for future dispute (*t*).

Time in its effluxion brought with it more disastrous troubles. The ambition of Edward I. involved the abbot and his canons in ruin. The house became so unsafe and their possessions so wasted by the succession war, that

(*s*) This monastery had also the church of Dodington near Barton, from the grant of Ranulph de Soulis, with the church in the valley of Liddel. It had many lands and churches from other barons. Before 1169, William confirmed all preceding grants, and gave some additions from himself. MS. Monast. Scotia, 27; Sir Lewis Stewart's MS. Col., No. 34; Robertson's Index, 22. Robert I. granted five charters to the canons of Jedburgh, with a confirmation of the charter of David I., Malcolm IV., William I., and Alexander. Robertson's Index, 22. In very early times the canons had a religious house in Liddesdale. Turgot de Rossedal granted to the monastery of Jedburgh, "domum religionis "de Lidal cum tota terra ei adjacente," which was confirmed by William, before the year 1169. Chart. of William in facsimile.

(*t*) This very curious document which shows the pretensions of the parties and the practice of the age, is in the Chartulary of Glasgow, p. 157 of my copy.

they could no longer live in the one, nor enjoy the other; and the charity of Edward I. at the end of the year 1300, billeted those unhappy canons on several religious houses in England (*u*). Robert I. tried to restore by his generosity what the hostility of his antagonist had ruined (*x*). To the monastery of Jedburgh belonged, during the best days of its prosperity, the priories of Restennet, in Forfarshire, and of Canonbie, in Dumfriesshire, which were occupied as cells by the canons (*y*). At Rutherford, upon the south bank of the Tweed, in Maxton parish, there was of old an hospital dedicated to St. Mary Magdalen. Robert I. granted to those canons of Jedburgh, the hospital of St. Mary Magdalen at Rutherford, which was confirmed by Robert III. in 1395 (*z*).

During the long succession of conflicts between the sister kingdoms which followed the peace of Northampton in 1328, the canons of Jedburgh felt their full share of the sad effects. During that long period this monastery underwent many a change. In 1523 the town of Jedburgh was burnt and its monastery sacked by the Earl of Surrey, when he made his second incursion into Teviotdale (*a*).

At length came the Reformation, which relieved the canons of Jedburgh from their miseries by dissolution (*b*). The monastery became the property of the king by annexation (*c*). As the Kers of Fernihirst had long been the baillies of Jedburgh-forest, they after a while became baillies of the canons of Jedburgh. In March, 1587, Sir Andrew Ker obtained from James VI. a grant

(*u*) See his Writ dated the 16th November 1300, in the Antiquary Repertory, ii. 54-5, where there is a view of the ruins of Jedburgh Abbey.

(*x*) Robertson's Index, 22, as above.

(*y*) During those unscrupulous times, it was the practice of the abbot of Jedburgh to send to Restennet the records and other useful papers of the monastery, for preservation from hostile hands.

(*z*) Robertson's Index, 166. A *burgagium* in Berwick, which belonged to the hospital is mentioned in a charter as early as 1276. Chart. Newbotle, No. 208. In 1336, Edward III. granted the custody of this hospital to Simon de Sandford. Ayloffe's Cal., 157. Edward III. soon after granted the same charge to John de Thorp. Ib. 179.

(*a*) Border History, 515.

(*b*) Andrew, the commendator of Jedburgh, sat in the Reformation Convention. Keith, 146.

(*c*) At that epoch the revenue of those canons was not precisely settled. It may be estimated including Restennet and Canonbie, the two cells of Jedburgh, at £1,274 10s. Scots money; wheat, 2 chalders, 2 bolls; beer, 23 chalders; meal, 36 chalders, 13 bolls, 1 firlot, 1 peck; besides *cains* and customs. Keith's Hist. Apx., 185. *Cain* is a customary payment in kind, as a *cain* fowl.

of the *bailliary* of the lands and baronies of the monastery of Jedburgh (*d*). In those times little was the distance from the bailliary to the dominion over church property. In 1622 the estate of the canons of Jedburgh was converted, by a charter from James VI. to Sir Andrew Ker, into a lordship by the title of Lord Jedburgh (*e*).

In those ages Roxburghshire abounded in religious and charitable foundations. In Jedburgh, which seems always to have enjoyed its share of such concerns, there was founded in 1513, by the citizens, a convent of Carmelites (*f*). At ancient Roxburgh there was founded of old a convent of Franciscans (*g*). There is now no other memorial of the old-fashioned piety which planted the Franciscans there, but a hamlet called *Friars* on the site of the convent (*h*). Near Newstead the Knights Templars had a house which was called *Red-abbey-stead*. The Templars were here succeeded by *Freemasons* (*i*). The Knights of St. John of Jerusalem seem from tradition and remains to have had an establishment at the village of Ancrum, which is now distinguished by the name of *Malton* Walls (*k*). The hospital at Nisbet is said to have belonged of old to the same knights who lived at Ancrum (*l*). There was anciently near Old Roxburgh, on the Teviot above, a *Maison Dieu* for the reception of pilgrims, the diseased and the indigent. To this establishment the charity of David I. granted a carucate of land in Ravendene (*m*). In 1296 Nicol de Chapeleyn, the guardian of this house, swore fealty to Edward I. (*n*). Where this charity stood stands now a hamlet which still bears the sad appellation of *Maison Dieu* (*o*). At Ednam there was anciently an hospital dedicated to St. Leonard, which, whatever contests once existed about the property or the patronage of it, is now noticed by the surveyor, Pont, under the name of

(*d*) Douglas Peerage, 419. On the 4th of Augnst 1621, a ratification and a new dissolution of Jedburgh and Canonbie was passed. Unprinted Act, 23 Ja. VI.

(*e*) Spottiswood, 423. (*f*) Keith, 277 ; Spottiswood, 503.

(*g*) They were allowed a church-yard, which was consecrated by William, bishop of Glasgow, in 1235. Adam Blnnt was their snperior in 1296. Ib. 581.

(*h*) Stobie's map of this shire ; Stat. Acco., 10, 581.

(*i*) Gough's Camden, iii. 297. (*k*) Stat. Acco., x. 294. [Jeffrey's Roxburgh, ii. 351.]

(*l*) Ib. ii. 322. At Mount Teviot there were once an hospital, a chapel, and a cemetery. Pont's map of Teviotdale preserved a faint recollection of this ancient charity, by the significant name of *Spital*. This hospital, however, escaped the researches of Spottiswood and Keith.

(*m*). Chart. Kelso, No. 369.

(*n*) Ragman-roll, in Prynne. For subsequent notices about this *Maison Dieu*, see Robertson's Index.

(*o*) Stobie's map of this shire ; Stat. Acco., 10, 581.

Ednam Spital (*p*). Smailholm had of old an hospital which is now only recollected by the name of *Smailholm Spital* on the maps. Cavers parish had also, in ancient times, an hospital which is now only marked on the maps by the name of *Spital*. Such are the notices which seem to evince that the men of Teviotdale, in the times that are flown, practised charity as well as they could push the spear, when their houses and their women were to be secured.

Those ancient establishments of whatever nature were all reformed about the year 1560 (*a*). The parishes of this shire were now placed under the regimen of a synod and presbyteries. They were all comprehended under the synod of Teviotdale and Merse, except Castleton, which, from its remote situation, was placed under the synod of Dumfries. Of the thirty-one parishes within this shire, fourteen compose the presbytery of Jedburgh; one was placed in the presbytery of Langholm; one in that of Lauder; nine in that of Kelso; and six within the presbytery of Selkirk; arrangements these, which were probably dictated by a sense of convenience from the position of the districts (*b*).

The two Jedworths are the oldest parishes in Scotland whereof we have any distinct notice (*c*). The name of Jed*worth*, which has been perverted into JEDBURGH, was derived as we have seen from the British *Jed*, the appellation of the river, and the Saxon *weorth*, the term for a hamlet, that is seen in the termination of so many names of places in England (*d*). Amid the darkness which preceded the dawn of record, a manor was laid out lower down on the Jed by one of the Earls of Northumberland, and here was built a castle, a church, and a mill, which all appear distinctly in the charters of David I. When this prince

(*p*) Map of Teviotdale; Stobie's map of Roxburghshire mentions the same site by the same name.

(*a*) At that epoch, of the many parishes in Roxburghshire there were only the following parsonages, as appear from the books of the collectors of the thirds in Keith's Apx., 192. The *parsonages* were Bedrule, Wilton, Askirk, Abbotrule, Ancrum, Southdean, Merbotle, Auld Roxburgh, Yetham.

(*b*) In 1747 there were detached from Roxburghshire five parishes, namely, Eskdalemuir, Ewes, Westerkirk, Langholm, and Canonbie, which were all annexed to Dumfriesshire. This enumeration marks the districts which had been torn from Dumfriesshire and annexed to Roxburgh, to suit the convenience of the Duke of Monmouth and Buccleuch in 1672. [The present disposition of the parishes and presbyteries will be seen in the "Book of the Church of Scotland (Year Book)."—Ed.]

(*c*) The *two* Jedworths are distinctly mentioned by Hoveden, 418, as early as 882 A.D. Eadulfus, a younger son of an Earl of Northumberland, is recorded both by Simeon and Hoveden to have been buried in the church of Jedburgh two centuries afterward. These notices show the connection of those powerful earls with the manor of Jedburgh.

(*d*) Somner in vo. *weorth;* Adams's Villare. So Tam-worth is from the river *Tame*, exactly as Jed-worth was formed by the worthy Ecgred, the founder, from the situation of his *ham* or *weorth* on the river Jed.

founded the monastery of Jedburgh, he gave to the canons regular who were then settled there, the churches of the two Jedburghs, with their tithes and other dues. David also gave to those canons the chapel of Scarsburgh, lying in a recess of the forest on the east of the Jed (*e*). Besides the town of Jedburgh, this parish comprehends a large district on the Jed (*f*). The parish is divided into three parts by the intervention of the parishes of Abbot-rule and Oxnam. The lower division, lying on either side of the Jed, forms the great body of the parish. The second, which is the smallest division, is the district of Old Jedburgh. In this division there was anciently a chapel on the west bank of the Jed, opposite to Dolphinstone mill. The third, or upper part of this parish, is the barony of Edgerston, which lies on the east of the Jed and reaches to the border mountains. The barony of Upper Crailing, which is now a part of this parish, had anciently a church, as it was a separate parish; and Gospatrick, the "vicecomes," in 1147, granted its tithes to the canons of the monastery of Jedburgh (*g*). From the epoch of the establishment of those canons here the parish became involved in their various fortunes. After being so long merged, the parish of Jedburgh was again restored to life and activity by the reformation (*h*). Besides the established church, there are at present in the town of

(*e*) "Et de Scarisburgh capellam etiam, quod fundata est, in saltu memoris super aquam Jed." Sir Lewis Stuart's MS. Col. No. 34. On the 7th of July 1296, John Comyn of *Scarsburgh*, with other Comyns of greater consequence, swore fealty to Edward I. at Monros. Ragman Roll.

(*f*) Jeddewurth, cum pertinentiis suis, were settled by Alexander II. on his queen Johanna, in 1221. Rymer, i. 252.

(*g*) Stuart's MS. Col. No. 34, and MS. Monast. Scotiæ, 27. Orom, the son of Eilav, granted to the same monastery a carucate of land in Upper Crailing.

(*h*) On the 13th of September 1568, the lord Regent rode to the fair of Jedburgh, to apprehend the thieves; but they being advertised of his coming came not to the fair. Birrel's Diary, 17. On the 7th of July 1575, happened a skirmish at the Red-swyre within this parish, where it touches the Cheviot limit, which was followed by consequences, though it was only the hasty squabble of irascible men at a border *tryst*. The Scotsmen resenting one of their countrymen slain without provocation by the English, made a vengeful attack on the offenders, and were driven from the field. But being met by the men of Jedburgh, they renewed the conflict, repulsed their *old adversaries*, slew Sir George Heron, an eminent Northumbrian, and carried prisoners to Dalkeith, Sir John Forster, the warden, and other considerable persons, his attendants. Elizabeth reseuted this outrage. She sent the Earl of Huntingdon as her envoy to meet the regent Morton at Fouldean near Berwick bounds, where they settled this hasty dispute. The swyre, in old English means, *the neck*, and in the Scottish topography is applied to the *neck* of a hill. Glos. to Lyndsay's Poetry. This skirmish has supplied the Border minstrels with a subject for song, entitled *The Raid of the Reidswire*. Border Minstrelsy, i. 97.

Jedburgh, three other places of worship, as discordant in the principles of the sects as they are various in their denominations (*i*). [The present parish church of Jedburgh was opened in 1875. The number of communicants is 1051, and the stipend is £615. There are also Free (1853, stipend £246), two U.P. (1818), Episcopal (1843), R.C. and E.U. churches.]

OXNAM is a popular abbreviation of *Oxenham*, which is the name of this parish and village in the chartularies. So Oxford was abbreviated from Oxenford, and Oxney in Kent from Oxen-ey (*k*). Gaufrid de Percy, who enjoyed the manor of Oxenham when the abbey of Jedburgh was founded, granted the abbot two carucates of land, and two bovates, lying adjacent to the church, with common of pasture and common of fuel to the village belonging (*l*). At the famous settlement of the disputes between the bishop of Glasgow and the abbot of Jedburgh, in 1220, it was agreed that the taxation of the vicarage of Oxenham should remain as the bishop's charter had ascertained it (*m*). The forfeiture of Sir Robert Colvill enabled David II. to grant the barony of Oxenham to Duncan Wallace (*n*). At Plenderlieth, in this parish, there was of old a chapel, the ruins whereof may still be traced, and the cemetery whereof continues still to be used (*o*). The parish of Oxnam became the property of the abbot of Jedburgh, and from the Reformation it acquired its independence (*p*). [The Rev. Thos. Boston was at one time minister here. Its parish church was erected in 1738 and repaired in 1880. Communicants, 252; stipend, £375.]

HOUNAM, the name of the next parish, is an abbreviation of *Howen-ham*, as Oxnam is of Oxenham. It derived its name from a person named *Howen*, or rather Owen, who settled here. There indeed appears to have been some considerable persons of this name in this shire during the twelfth century (*q*). The church of Hounam was conferred on the abbey of Jedburgh at the end of the twelfth century. When the bishop of Glasgow and the abbot settled their

(*i*) In 1790, the numbers of examinable persons were, in each of those religious societies, in the Established Church, 800; in the Relief Congregation, 1200; in the Burgher meeting, 600; in the Antiburgher meeting, 150. Stat. Acco., i. 11. The more inquisitive reader may see a very intelligent state of Jedburgh parish, from the learned pen of Doctor Somerville in the Stat. Acco., i. 1. [See also Jeffrey's Rox., ii. p. 97, and Watson's Jedburgh Abbey, 1877.]

(*k*) For other such abbreviations in South Britain, see Adams's *Villare.*

(*l*) Henry de Percy, who succeeded his brother Gaufrid, confirmed the late grant in the presence of Malcolm IV., and gave the abbot, moreover, common of pasture in the lands of Newbigging which adjoined Oxenham, and now makes a part of this parish. The grants of the Percys were confirmed by Malcolm IV. and William the Lion. (*m*) Chart. Glasgow.

(*n*) Robertson's Index, 50. Robert II. gave to Sir Duncan Wallace, and to Eleanor Bruys, the Countess of Carrick, his spouse, the barony of Oxenham with other lands. Ib. 115.

(*o*) Stat. Acco., ii. 322.

(*p*) The inquisitive reader may see many particulars of this frontier parish in the Stat. Acco., xi. 317.

(*q*) *Howen*, the son of Buth, was a witness to the charter of Richard Moreville, the constable of Scotland, who died in 1189 A.D. Diplom. Scotiæ, pl. 75. Howen is merely the Saxon *aspirate* of the Cambro-British Owen.

disputes in 1220, it was agreed that the whole tithes of corn within the parish of *Hunam* should be appropriated to the use of the canons, the vicar receiving ten pounds or the alterages in his option (*r*). The Reformation restored the independence of the parish of Hounam (*s*). [The parish church is ancient, but was repaired in 1752 and 1844. Its communicants number 148, and the stipend is £394.]

The parish of ECKFORD derives its name from a passage of the river Teviot, *Eck-ford* being merely the *Oak*ford, from the Æc, *quercus* of Somner; and the Æc is still pronounced *Aik* or *Ec* in the dialects of Scotland and of England, in the names of many places where the oak formerly flourished (*t*). The abbot of Jedburgh acquired a right to the church of Eckford at the conclusion of the twelfth century. When the settlement was made in 1220, between the bishop of Glasgow and the abbot, it was declared that the vicarage of *Heckford* should be taxed, as the bishop's charter had ascertained. In Bagimont's roll the *vicaria* de Eckfurd, in the deanery of Teviotdale, is rated at £2 13s. 4d. At Caverton village in this parish there was anciently a chapel, the cemetery whereof continues to be used by the religious people (*u*). The fanatical invaders of this shire from England burnt the church of Eckford in 1554 (*x*). The Reformation restored this parish to its ancient independence (*y*). [The parish church was erected in 1662, and repaired in 1775 and later. Its communicants number 162, and the stipend is £429.

The parish of CRAILING consists of the old parish and of Nisbet, the former lying on the south and the latter on the north of the Teviot. The origin of the name of *Crailing* cannot be easily traced. Both Lower and Upper Crailing stand on Oxnam water, which flows rapidly over a freestone rock, with banks steep and craggy; thus, *Crai-lyn*, in the Cambro-British speech, signifies the brisk pool (*z*); and this name may have been given by the British settlers on the Oxnam, from the usual ebullitions of this mountain stream. *Craig-lyn*, in the same language, signifies the *rock-pool* (*a*); and *Crea-linn*, in the Gaelic,

(*r*) Chart. Glasgow. In this particular settlement there was a reservation to the canons, which shows the practice of the age, that they should have in this parish an acre of land, "ad reponendum "bladum suum in loco competenti." Id.

(*s*) Many particulars of the parish of Hounam may be seen in the Stat. Acco., i. 48.

(*t*) See Adams's *Villare*.

(*u*) Stat. Acco., viii. 34. Walter Ker of Cessford amortized to a chaplain in the chapel of Caverton, a £10 yearly, from the lands of Caverton, with two cottages near the orchard, being two acres of land, with Crum's meadow and four *sowms* in Caverton, with the manse and yard. This grant was confirmed in 1500 by James IV. MS. Donations. The forfeiture of Roger Mowbray enabled Robert I. to grant the manor of Eckford to Walter, the Stewart of Scotland, Robertson's Index, 21; and the crimes of William Soulis induced the same prince to be grateful to the same personage for his strenuous support. Id. (*x*) Border Hist., 550.

(*y*) A particular state of Eckford parish may be found in the Stat. Acco., viii. 20.

(*z*) Davis and Owen, in vo. *Crai* and *llynn*. (*a*) Davis and Owen, in vo. *Craig*.

signifies the *clay-pool* (*b*); but the Saxon speech does not furnish an intimation which could lead us to suppose that the Northumbrians gave a Saxon name to *Crailing*. In the days of David I. we may perceive in record, two adjoining manors, two villages, two churches, and two parishes, which were distinguished by the names of Crailing, and Upper Crailing. The abbot of Jedburgh acquired those churches from Gospatrick, the sheriff, whose munificence was confirmed by David I. and his children (*c*). The old parish of Crailing is intersected from south to north by the river Oxnam, which here enters the Teviot, the common receptable of so many mountain torrents. Immediately above on the Oxnam lies the barony of Upper Crailing which is now included in Jedburgh parish (*d*). The origin of the name of *Nisbet* parish is somewhat doubtful, though there cannot be much doubt whether it was imposed by the Saxon settlers here. In the ancient documents it is variously spelt, *Nesbet*, *Nasebet*, *Nesbyte* and *Nisbet*. In this parish there are two places of this name, Over, and Nether Nisbet. Several places both in Scotland and in England bear the same name (*e*). This appellation seems generally to be connected with a *hill*. In Culter parish there is a hill called Nisbet *Nape*, and in Alva parish there is Nisbet *hill*. The position of all those places called *Nisbet*, seems to intimate that we must look for its origin in the Saxon (*f*). *Nes*, *Nese*, *Naese*, in this language, signifies a promontory, a projection, the nose; and *bit*, a piece, as we know from Somner. So Nesebit would signify the *nose-piece*. The village of Upper Nisbet in this parish, stands on a ridge of land which projects from the base of a hill. From the foundation of the monastery of Jedburgh, the tithes of the manor and parish

(*b*). O'Brien and Shaw.

(*c*) Berenger de Engain granted to the same abbot a mark of silver from the mill of Crailing, and two bovates of land, "Cum uno villano," with other property near the church, for sustentation of the chaplain of the chapel of Crailing. David Oliphard granted to the abbot the tithes of the mill of *Crailing*. Orom granted him a carucate of land in the *other Crailing*.

(*d*) On the 23rd October 1612, an act passed declaring the kirk of Crailing to be a parish kirk. Unprinted Act of that date. The old church which stood near Crailing-house has been demolished, but the people continued to use its cemetery. A new church for the united parishes of Crailing and Nisbet, was built between the Teviot and Oxnam. Stat. Acco., ii. 329, Ruddiman conjectured in his Index to the *Diplomata Scotiæ*, that *Traverlin*, which was granted by David I. to Kelso, was the same as *Crailing* that was conveyed to the abbot of Jedburgh. Chart. Kel., No. 1. So record evinces that two several places, which were given to different monasteries, cannot be the same.

(*e*) Adam's *Villare*.

(*f*) There are several places of this name in Northumberland. Speed's Map.

of Nisbet formed part of the revenues of this well endowed house (*g*). There were of old a chapel with an adjoining cemetery at the *Spital* in Nisbet, and hence, in the records of the presbytery, the united parish is sometimes called "the united parishes of Crailing, Nisbet, and Spital" (*h*). The united parishes emerged from their long continued dependence at the epoch of the Reformation (*i*). [Samuel Rutherford, the eminent divine, was born in this parish, and Calderwood, the church historian, was minister here in 1604. The Parish Church was built about 1755. Its communicants number 119, and the stipend is £437. A Free Church has a membership of 187, with a stipend of £238.]

The parish of ANCRUM consists of the old parishes of Ancrum and of Langnewton, which was annexed to it at the end of the seventeenth century. The former lies along the south-west side of the river Ale, and the latter on the north-east side. *Ancrum* is obviously a mere abbreviation of *Aln-crum*, the ancient name which the site of the village derived from its location in a *bend* of the river *Aln*, that is now called *Ale*. For Crum, and Crom, in the Cambro-British and Scoto-Irish languages, signify a bending, or concave (*k*); and hence, the British settlers near the remarkable *bend* of the Aln gave it the name of *Alncrum*. The *Inquisitio* of Earl David in 1116 A.D., found that *Alnecrum* belonged to the bishopric of Glasgow (*l*). In Bagimont's Roll the "rectoria de "*Ankrum*" is valued at £6 13s. 4d. In the ordinance of the bishop and chapter of Glasgow during the year 1401, respecting the prebends of that episcopate, Alnecrum is rated at forty shillings (*m*). The bishops of Glasgow appear to have

(*g*) Charter of David I. Ranulph de Soulis gave to the same house half a carucate of land in Nasebith. By the forfeiture of William Soulis and from the grant of Robert I., Nisbet barony became the property of Walter, the Stewart of Scotland. Robertson's Index, 10—21. During the reign of David II., Robert, the Stewart of Scotland and Earl of Strathearn, who became Robert II. in 1371, granted to Sir Robert Erskine and Christiane de Keth, his spouse, the baronies of Nesbet and Enam, "Cum eorum multuris, et sequelis, cum advocationibus ecclesiarum et hospitalium, si que "fuerunt cum tenandiis, et serviciis, libere tenencium, cum *bondis, bondagiis,* et *nativis* ac eorum "sequelis." Chart. Aberdon, 807.

(*h*) Stat. Acco., ii. 322. The old church of Nisbet was demolished many years ago, but its cemetery is still used by the old families, who love to lie among their progenitors.

(*i*) Other particulars of those united parishes may be seen in the Stat. Acco., ii. 323. On the 28th of June 1633, there issued a commission to the commissioners of surrenders, concerning the kirks of Nisbet and Crailing. Unprinted Acts of that year. (*k*) Davis and Owen; O'Brien and Shaw.

(*l*) Chart. Glasgow, No. 1. The church of *Alnecrumb* was confirmed to the bishopric by the popes, Alexander, Lucius, and Urban, all before the year 1186. Chart. Glasgow. In 1353, Edward III. issued a writ, "de presentatione ad ecclesiæ de Alnecrom." Ayloffe's Cal., 211. John de Conveth, parson of the church of *Alnecrom*, swore fealty to Edward I. at Berwick, on the 28th of August 1296. Prynne. (*m*) Chart. Glas.

frequently resided at the bend of the Aln, as we see in the chartularies that many of their charters are dated from Aln-crum. This village was sacked by the English under the conduct of the Earl of Rutland at the fanatical epoch of 1549 (*n*). The parish of Langnewton was originally called Newton, the meaning whereof, in the speech of the Saxon settlers is obvious; the prefix *lang* was added by them to denote the elongation of their Newton. The church of Langnewton anciently belonged to the monastery of Jedburgh, but to the episcopal superintendance of Glasgow (*o*). The church of Langnewton has been long ago demolished; but its cemetery continues to be used by those parishoners who regard the remains of their fathers (*p*). [The parish church of Ancrum was built in 1762 and repaired in 1832. Its communicants number 307, and the stipend is £432. A Free church had in 1887, 71 members].

The present parish of MINTO was formed from the old parish of *Minto*, and from a large part of the ancient parish of *Hassendean*. The origin of the name of *Minto* is obscure. In ancient charters it is generally spelt *Mintow* and *Mynthow*. The Gaelic etymologists are studious to explain the Celtic word *Minto* to mean the kids-hill; observing the craigs of *Minto* to be interspersed with shrubberies, and recollecting that kids delight to sport among dangerous heights and to browse on "steepy craggs." It may be allowed then, that *Mynn* in the Cambro-British, and *Meenn* or *Min* in the Scoto-Irish do signify a kid. But, among the many names in the Scoto-Irish for a hill or craig, *to*, *tow* or *thow*, does not appear (*q*). The British speech is more likely to furnish the true etymon of *Minto*. In it *Mynta* signifies an aggregate; and *Myntai* what is aggregated (*r*). Either of these words may have been applied by the British settlers here to the congeries of rocks which are even now known by the name of Minto-*craigs*. In their language *Min-tau* denotes the brink or edge which extends out; *Min-to* means the exterior brink or border; and *Min-tua* signifies *towards the brink* (*s*). Now, the village of *Minto* stands on a plain field near the bank of a rivulet. At some distance on the same side of the streamlet stands the church on the top of a *steep bank*. The mansion-house of Minto is placed on the opposite bank, which extends out into an angular point, which is formed by the junction of two rivulets at the foot of the steep bank.

(*n*) Border Hist., 568.

(*o*) At the final settlement of the rights of the bishop and abbot, in 1220, the vicarage of Longnewton was fixed at *eight* marks, or the altarages, in the option of the vicar, who was, however, to make an acknowledgment to the canons.

(*p*) Stat. Acco., x., 292. Other particulars of this parish may be seen in the same account, x., 289.

(*q*) O'Brien and Shaw; *Myn-tu*, in the Cambro-British, signifies, indeed, the kid's district. Davies and Owen. (*r*) Owen. (*s*) Davies and Owen.

Such are the localities which each of the three etymons would fitly describe. Yet, may we reasonably suppose, that the attention of a rude people would scarcely be drawn to the softer scenes of the country; but would rather be attracted by the *congeries of craigs*, which have solicited the eyes of every age. In Bagimont's Roll, among the churches of Teviotdale, there is "rectoria de *Dennato*," valued at £2 13s. 4d. As there was no such church in that age as *Dennato*, nor indeed in any other, we may easily suppose that the scribe by *Dennato* meant *Minto*. In 1375, Edward III. issued a writ for the exchange of Mynto for *Yetham* (*t*). The barony of Minto appears to have formerly comprehended some places which lay beyond the limits of this parish (*u*). David II. granted a confirmation to Walter Turnbull, of the lands of Mintow (*x*). Minto came into the family of Elliot at the recent period of the Union (*y*). The family and the place have both been dignified by being admitted into the British peerage by the title of Lord Minto. In ancient charters the name of Hassendean, which forms a part of Minto parish, was spelt Halstaneadene, Halstenden, Halstansdene, and Hastendene. This name, whatever may be its varieties in ancient documents, was probably derived from some person called Halstan or Hasten, of whom no other memorial remains. The termination is obviously the Saxon *Dene*, a small valley, as we may learn from Somner; and, in fact, there is a *Dene* here, through which glides a rivulet, near the village of Hassendean (*z*). While David I. granted the lands of Halstensden to Walter, the son of Alan, he gave the church to the bishop of Glasgow (*a*). When the monks of Melrose

(*t*) Ayloffe's Cal., 238.

(*u*) Robert I. granted to William Barbitonsoris two parts of the lands of Kirkborthwick, and three parts of the mill thereof, "infra baroniam de *Minthow*." Robertson's Index, 5. Kirkbothwick is about nine miles W. S. west from Minto. On the summit of *Minto Craigs* stood a square tower, the old baronial strength, whereof Grose has given a view in his Scott's Antiq., i., 133.

(*x*) Ib., 33. In 1390, John Turnbull, of Myntow, granted the lands of Myntow to Sir William Stewart of Jedworth, "nepoti suo." This donation was confirmed by Robert III. Ib., 127. Robert III. granted another charter to William Stewart of Jedworth, of a part of the town and lands of Mintow, with the *advowson* of the kirk, by the resignation of George Abernethie. Ib., 157.

(*y*) On the 30th April, 1706, Sir Gilbert Elliot obtained a grant of the barony of Minto, in Roxburghshire, with the patronage of the church, the tithes, and with the Manse and glebe of Minto; and also a grant of the barony of Headshaw, with the patronage of the church of Ashkirk, and the tithes thereof. Warrant book.

(*z*) Stobie's Map of this shire.

(*a*) Before the year 1181, this church of Hassendean had been confirmed to the bishop by two popes Alexander and Lucius. Chart. Glasgow. Joceline, the bishop of this see, who had been abbot of Melrose, granted in 1192, to the monks of Melrose, the lands and tithes of Hastenedene, for the reception and relief of the poor and helpless, who were journeying to Melrose-abbey. Chart. Melrose, No. 76. This pious grant was confirmed by several charters and bulls. While William the Lion confirmed this donation, he restricted the monks' right of pasturage to two hundred ewes, sixteen oxen, and four cows. Ib., 77.

had thus obtained Hassendean for the purpose of charity, they formed here a *cell* which was to be a dependency on their monastery. From the date of this establishment the old tower of Hassendean was called the *Monks* Tower, and the farm adjoining to the church continues to bear the name of the *Monks* Croft (*b*). After the Reformation had swept away such charities, the church of Hassendean with its pertinents, and the Monks Tower, were granted to Walter the Earl of Buccleuch (*c*). The parish of Hassendean was now distributed in several portions to the parishes of Minto, of Wilton, and of Roberton; but the greater part, with the church and village, were annexed to Minto, while the stipend was given altogether to Roberton (*d*). The church of Hassendean now sunk into ruins, which, with a part of its cemetery, were heretofore swept away by the Teviot. Yet though the parishioners saw this sad scene of devastation, they continued to bury their dead among their fathers till the Teviot in 1796 carried away nearly the whole (*e*). [The present parish church was erected in 1831. It has 204 communicants, and the stipend is £469.]

The name of the parish of WILTON is plainly derived from the appellation of some former proprietor called William, or Will. To his name was added the Saxon *tun*, to denote his dwelling, or *ham*. So in England there is *Wilton*, and in Scotland there are Wilstown in Kyle, Willscleugh in Tweeddale, Wilshaugh in Perth, and several places named Williamstown. Early in the twelfth century the bishop of Glasgow acquired the church of Wilton. To him it was confirmed by three bulls of the popes Alexander and Urban, before the year 1189 (*f*). In Bagimont's Roll, within the deanery of Teviotdale, the "*rectoria* de Wilton" is valued at £5 6s. 8d. (*g*). Robert I. granted to Henry

(*b*) Milne's Melrose, 34; Stat. Acco., xix., 572. (*c*) Milne's Melrose, 34.

(*d*) Stat. Acco., xix., 572.

(*e*) Id. Cardonnel has happily preserved what the Teviot left undestroyed. He has given, in pl. 3, of his Antiquities, a drawing of the ruins of Hassendean church; consisting chiefly of an *arch*, "which is the east end of the choir, that is of Saxon architecture, and is of no inelegant design." Much more of the united parish of Minto may be seen by the curious eye, in the Stat. Acco., xix., 570. [See also Jeffrey's Roxburghshire, v. 4, p. 307, etc.]

(*f*) Chart. Glasgow. John, the younger, "dominus de Dirlton," granted to the church of Glasgow, and to Walter, the bishop, from 1208 to 1232, five marks of money yearly, out of the fair of St. James, in Roxburgh, on behalf of the church of *Wilton*, according to the adjudication of Laurence, the Archdeacon of St. Andrews, William de Bosco, Archdeacon of Lothian, and Radulph, the Dean of Lothian, who had been delegated by the pope to decide the right of patronage of the church of Wilton, between the grantor and the said bishop. The five marks of money were therefore granted, in pursuance of that adjudication which directed it to be punctually paid to the bishop by the parson of Wilton church for the time. Chart. Glasgow, 281.

(*g*) Robert de Dene, the parson of the church of Wilton, swore fealty to Edward I. on the 28th August, 1296, at Berwick. Prynne.

de Wardlaw the half of the barony of Wilton, which had belonged to William de Charteris and Walter de Pertchy (*c*). David II. gave to John, the son of Margaret, the barony of Wilton, which had been forfeited by William Maxwell (*d*). The Reformation restored Wilton parish to its independence with appropriate rights (*e*). [Wilton village now forms part of the burgh of Hawick. Its church, which was originally erected in 1762-3, has been replaced by a new building erected in 1863. It has 764 communicants, and the stipend is £650.]

The parish of BEDRULE lies along the east side of the river *Rule*, an extent of four miles upwards from its junction with the Teviot, which receives so many kindred streams from either declivity of his dale. The *Rule* is the parent of many names on his banks. *Bed*-rule is merely a corruption of *Bethoc*-rule, the adjunct being only the name of the river. During the early part of the twelfth century this manor, with the adjoining manor of Rughe-chester, which now forms the barony of Ruecastle, was enjoyed by a lady named *Bethoc*, who not only gave her name to this parish, but gave birth to a long line of heroes and heroines, to Randolph, who supported the crown on the head of Bruce, and to Black Agnes, who defended the castle of Dunbar (*g*). The name of Rule-Bethoc was by an easy transposition converted into Bethoc-rule, Beth-rule, Both-rule, and lastly Bed-rule, as the various documents wherein this name appears evince (*h*). In Bagimont's-roll, among the churches in the deanery of Teviotdale, the "rectoria de *Bed-rowl*" was valued at £4. In 1482 James Rutherford of that *ilk* obtained a charter "de jure patronatus ecclesie de *Beth-rule*" (*i*). Without this history, which is founded on record, it would

(*c*) Robertson's Index. (*d*) Ib., 39.

(*e*) The more curious reader may see more recent notices of Wilton parish, in the Stat. Acco., ii., 394; xv., App., 641.

(*f*) See Stobie's map of this shire. Rule-Hervey, which was changed to Abbot-rule, Rule-halch, that is now Hall-rule and Town-o'-rule. On the 28th of August, 1296, Aleyn, the parson of the church of *Roule*, swore fealty to Edward I. at Berwick. Prynne.

(*g*) The Peerage writers are very diligent to trace the great Randolph up to Radulph, the son of Dunegal. But little did they know that Radulph married Bethoc, the heiress of several manors, who gave her name to the parish of Bed-Rule. Dunegal of Stra-nith is mentioned as the possessor of a great country in the charter of David I., granting Annandale to Robert Bruce. At the establishment of the monastery of Jedburgh, in 1147, Radulph, the son of Dunegal, and Bethoc, his wife, granted to the canons a carucate of land in *Rughchester*, with common of pasture in the same manor. William and Alexander II. confirmed this grant. MS. Monast. Scotiæ.

(*h*) John Comyn, who flourished under Alexander III., "dominus de Rule-Bethoc," granted to the bishop of Glasgow the whole lands of Rule-halch. This was confirmed by Alexander III. in 1279. Chart. Glasgow. Robert I. granted to James Douglas "the lands of *Bethoc-rule*, in valle de Teviot," which had belonged to John Comyn. Robertson's Index, 5.

(*i*) Douglas Peer., 598, which quotes a charter in the public archives.

never have been believed that the appellation of Bed-rule parish was originally *Bethoc-rule*, from the appropriate name of the lady of the manor. On the 11th of June, 1640, there passed a parliamentary confirmation of a lease of the *teinds* of the parish of Bedrule, in favour of James Lawson (*k*). For other notices of this parish the Statistical Account may be consulted (*l*). [The parish church was built about 1803, on the site of an ancient building. It has 120 communicants, and the stipend is £205.]

The united parish of SOUTHDEAN and ABBOT-RULE was formed of the old parishes of Southdean and Abbot-rule, which were annexed to each other. The name of Southdean is plainly the South-*dene* of Somner, or southern valley; and, in fact, the village of South-dean is situated in a narrow vale on the upper branches of the river Jed. In 1292 Edward I. issued a writ "de presentatione ad ecclesiam de *Sudhden* (*m*)." In Bagimont's Roll, among the churches in the deanry of Teviotdale, the "*rectoria* de *Sowden*" is valued at £4. Sowden is plainly the vulgar abbreviation of South-dene (*n*). The old parish of Abbot-rule extends nearly four miles along the east side of the river *Rule*, which has imparted its British name to so many places on its banks (*o*). With the manor of Rule Hervey, the abbot of Jedburgh seems to have acquired the church of the village. At the epoch of the settlement of the pertinacious controversy with the bishop of Glasgow, the canons were obliged to cede the whole dues to the vicar of the church, "de Rule-abbatis;" he giving annually to the canons five shillings as an acknowledgement (*p*). In Bagimont's Roll among the churches in the deanery of Teviotdale, the "*rectoria* de Abbat-rowl" is valued at £2 13s. 4d. The patronage of this united parish belongs alternately to the king, who came in the place of the abbot and Lord Douglas, who represents the ancient lord of the manor of Southdean (*q*). [The parish church after being repeatedly repaired was replaced in 1876 by a new building. Communicants, 175; stipend £450.

(*k*) Unprinted Act of that date. (*l*) V. xv., 556. (*m*) Ayloffe's Cal., 107.

(*n*) There was an old chapel dependant on the mother church of Southdean, distant about three miles. Scarcely a vestige of it now remains. Stat. Acco., xii., 1. The present church of Southdean, which was built in 1690, stands at the village of Chesters, and is central for the conjoined parishes. Id.

(*o*) Under David I. this ancient manor was distinguished by the name of Rule-Hervey, from a former lord of the manor, whose name was *Hervey*. When David founded the monastery of Jedburgh, he granted to it *Rulam Herevie*, according to its true boundaries. The old name was now dropped; and the abbot and his canons naturally called their own manor *Abbot*-rule, to distinguish their own *Rule* from so many other Rules; and this manor was distinguished in the Latin charters of that age by the name of *Rule-abbatis*. (*p*) Chart. Glasgow.

(*q*) Stat. Acco., xii., p. 69. Many more recent notices of this parish may be seen in the Stat. Acc.

Of HOB-KIRK parish, tradition states that this church was built by a border chief of the name of Hob, the abbreviation of Robert, from whom it derived the name of Hob-kirk (*r*). But this history arising from modern tradition is contradicted by ancient record. The real name of this church was *Hope*-kirk, of which Hob-kirk is a corruption (*s*). It obtained the name of Hopekirk from the local situation of the church in one of those small vales to which the term *Hope* is generally applied in the south of Scotland. The church and Kirktown stand at the mouth of the little valley upon Rule water, and the manse is situated at the top of the same vale or hope, three hundred yards distant (*t*). The church of Hopekirk parish was early acquired by the canons of Jedburgh, and at the settlement of the famous contest with the bishop of Glasgow in 1220, it was so determined that the vicar of *Hopechirche* should receive in name of vicarage only ten marks, or in his option the whole altarages, yielding yearly half a stone of wax to the canons as an acknowledgement (*u*). [The Parish Church was erected *circa* 1700, repaired in 1777, and rebuilt in 1858. Communicants, 210; stipend, £402. A Free Church at Wolflee has 112 members.]

To the north-west of Hobkirk, a little below lies, on the Slitrig water, the parish of KIRKTON. This ecclesiastical district, consisting of a continued range of hills, plainly derived its name like some of the shires from the name of the village which had arisen about the kirk. In this word is more exactly preserved the Anglo-Saxon cyrc, or kyrc, than in the Anglo-Norman chyrch, or church. The silence of the chartularies in respect to *Kirkton* parish seems to evince that in ancient times it formed an object neither of desire, of grant, nor of dispute. The history of its inhabitants, saith their minister, may for many ages past be written in the following emphatic words: "One generation passeth and another cometh (*x*)." [A Parish Church built in 1841 occupies the site of an older building of unknown date. Communicants, 136; stipend, £316.]

Lower down on the same mountain stream lies the parish of HAWICK, which can boast of a name purely Saxon. *Haw*, as we know from Somner, signifies in the Anglo-Saxon, *mansis*, mansus, a mansion-house. In the Scottish dialect, *Ha'*, the abbreviation of *Hall*, or *Haw*, is a common term for a great house,

(*r*) Stat. Acco., iii., 311. (*s*) Chart. Glasgow, 158.

(*t*) There are Kirk-hope in Ettrick, Kirk-hope in Yarrow, and Kirk-hope in Crawford, which all derive their several names from the valleys wherein they stand. So in England we may see in the *villars* a number of places which equally derive their names from the same situation in a little vale. The *Hope* is a short valley without a thoroughfare; a hollow in the bosom of a height. In the old French, *Hope* signified "un petite vallee entre des montagnes." Bullet. *Hop* A.-S. and *Hoep* Belg. *Circulus*. Somner and Wachter; and so, the *hop* may have been applied figuratively to a semicircular hollow in the bottom of a height.

(*u*) More recent notices of Hobkirk parish may be seen in the Stat. Acco., iii. 311. (*x*) Ib., x. 78.

or mansion. *Wic*, in the Saxon of Somner, signifies a village, or perhaps more properly the curving reach of a river where hamlets were formerly built; and here the *wic* may have once alluded to the bend of the Slitrig, where it falls into the Teviot. In fact, one half of the town of Hawick stands in the bosom of this curve, while the other half stretches out along the southern margin of the Teviot (*y*). The church and the parish are probably as ancient as the Saxon settlers here, whose chief built the mansion of his manor in the curve of the Slit-rig, which now derives a greater importance from its various mills. The church of Hawick was dedicated to Saint Mary in 1214 (*z*). In Bagimont's Roll, among the churches of Teviotdale, the "rectoria de *Havick*" was valued at £16 (*a*). The church of Hawick was long made use of as a court-house after the Scotican canons had prohibited this abuse of the sacred edifice. While it was thus made to serve temporal as well as spiritual purposes, it was stained with one of the foulest of crimes. In this church the sheriff of Roxburgh held his court, while the English possessed the castle and town of Roxburgh. On the 20th of June 1342, while William Ramsay, one of the most gallant and honest men of that age, was sitting on the judgment-seat in this church, he was seized by William Douglas, the Knight of Liddesdale, carried off to Hermitage castle, where he was starved in solitary confinement (*b*). During boisterous times, Hawick and its church underwent many changes. David II. granted to Maurice de Moravia, Earl of Strathearn, the barony of Hawick (*c*). At the commencement of the fifteenth century, the barony of Hawick became the property of Douglas of Drumlanrig (*d*). In April 1570, the town of Hawick was burnt by the English, who came in under Lord Sussex to support a corrupt administration (*e*). This town has been raised in happier times by

(*y*) See Stobie's map of this shire.

(*z*) An. 1214. "Dedicata est ecclesia Sanctæ Mariæ de Hawic a domino A. episcopo Cathenensis iv. Kal. Junii." Chron. Melrose, 186.

(*a*) This valuation is so much higher than the rate of any other rectory in this deanery, that we may infer the scribe has added an x to the number. On the 29th of August 1296, "Richard de Wytton, person del Eglise de Hawyk," swore fealty to Edward I. Prynne, iii. 656.

(*b*) Border Hist., 335; Lord Hailes' An., ii. 209.

(*c*) Robertson's Index, 5—27, 33. David II. also granted to the same Maurice Moray the wardship of Walter Comyn of Rowallan, in the barony of Hawick, with the land thereof.

(*d*) In the Diplom. Scotiæ, pl. 56, there is a charter written by James I. with his own hand, granting to William Douglas the lands of Drumlanrig, *Hawyke*, and Selkirk. This curious charter is dated the last day of November 1412, at *Croidonne* in Surrey. On the 20th of March 1478-9, there was an action pursued in Parliament by Alexander Murray, parson of Hawick, against David Scot of the Buccleuch, for the sum of xliiii marks, a part of the dues of his kirk. The lords ordained additional evidence to be brought on the tenth of May next. Parl. Rec., 248. (*e*) Border Hist., 635.

the fostering hand of a beneficent master to industry and wealth. Besides the established church, there are in Hawick two meeting-houses; the one of Burghers, and the other of Antiburghers; diversities these, which are the natural consequences of toleration, industry, and independence (*f*). [In 1887 there were 4 Established, 3 Free, 3 U. P., 1 Episcopal, 1 Roman Catholic, 1 Evangelical Union, and 1 Baptist Church. For particulars of these see the works cited below and the various church almanacks.]

In the parish of CAVERS there are several hamlets of the same name, which are all of the plural of Caver (*g*). In other parishes there are a few places of the same name; as Cavers in Bowden, Cavertown in Eckford, and Caver-hill in Manor (*h*). There is not the trace of such a word in the Saxon; and we may therefore suppose that these names were imposed by some prior people to the Saxons. In the *Inquisitio* of Earl David, among the places which are found to have belonged of old to the church of Glasgow, there were *Kever*-onum, *Kever*-trold, and *Kever*-gylt. These places cannot now be easily traced on the maps. *Keveronum*, indeed, stood between Ancrum and Lilliesleaf, and may probably have been *Cavertoun* in Eckford parish. This was, perhaps, the same place which was confirmed to the church of Glasgow, by the bulls of the popes, Alexander I., Lucius and Urban, before the year 1186, under the several names of Travereum, Traverenim, and Traveranum (*i*). Yet none of these seem to apply to Cavers though they show the use of the British language. Now, Cae-ver in the Cambro-British speech signifies the short field or enclosure (*k*). The extensive parish of Cavers consists of two divisions, which are separated by the intervention of the parish of Hawick. The smallest division, wherein stands the church with the hamlet of Cavers, lies along the southern side of the Teviot, from the Rule on the east to Slitrig water on the west. The largest division of this parish comprehends an extensive country on the upper branches of the Teviot, and of the Slitrig, and Allan; being bounded on the south by the limits of this shire with Dumfries-shire. For the convenience of the inhabitants of that remote district, and of the higher divisions of Hawick parish, there was built a chapel

(*f*) In the Stat. Acco., viii. 521, may be seen by the more inquisitive eye many more notices of the parish of Hawick. [See also Jeffrey's Roxburgh, v. 4; Wilson's Hist. of Hawick; and Oliver's Upper Teviotdale.]

(*g*) As Cavers, Easter-Cavers, Caver-knows, and Cavers-kirktown. There was of old a baronial castle of considerable strength, which stood at no great distance from the church of Cavers.

(*h*) In England also the same name may be traced. There are Caver-leigh in Devonshire, Cavers-field in Buckingham, and Cavers-ham in Oxfordshire. Adams's *Villare.* (*i*) Chart. Glasgow.

(*k*) See Davis and Owen in vo. *Cae* and *ber*, which last in composition changes to *ver*.

at Carlinrig, the chaplain whereof is partly supported by allowances from the Duke of Buccleuch, and from the ministers of Cavers and Hawick, and by a contribution from the parishioners (*l*). The Cameronian Seceders have a meeting-house at the village of Denholm, in the lower district of Cavers parish (*m*). William the first Earl of Douglas granted the *advowson* of the *church of Cavers* to the monks of Melrose in whose church he was buried, in 1384 (*n*). [Dr. John Leyden the poet and scholar was born at Denholm in this parish. The present parish church was erected in 1822, and there is in addition a chapel at Carlanrig of ancient date. The communicants number 197 and the stipend is £395. A Free church at Denholm has 180 members.]

This much with regard to the several parishes in the presbytery of Jedburgh. The presbytery of Langholm only comprehends one of the parishes of Roxburghshire, lying in its south-western angle. CASTLETON, the name of this parish, is obviously derived from the village, where has long stood the church. The castle here may perhaps be traced back to the reign of David I., when it was founded by Sir Ranulph de Soulis, who followed that prince from Northamptonshire. The men of Soulis built the village under the shelter of the castle, which rears its battlements on the summit of a precipice a hundred feet of perpendicular height, forming the east bank of the Liddel. The extensive parish of Castleton comprehends the whole country that was anciently called Lid-del, the valley of the Liddel, the Liddesdale of the present day, which is merely a corruption of the pleonastic appellation of *Lid-dals-dale*. This frontier district, which has now only one church, had formerly three churches, with three chapels and a monastery. These notices lead us to suppose, what history intimates, that this country which is inhabited now by sheep and shepherds with their dogs, contained of old many inhabitants, with much religion, or at least zeal, before the succession war produced many a border incursion, and domestic feuds debased the character of a coarse people. The principal church which was dedicated to St. Martin, bore the name of the dale of the Liddel. On the foundation of the monastery of Jedburgh, Ranulph de Soulis granted to the

(*l*) Stat. Acco., viii., 531 ; xvii., 91. (*m*) Ib., xvii., 91.

(*n*) Milne's Melrose, 10-30 ; Keith's Bishops, 254. For the barony of Cavers, see Robertson's Index, 61, 121-83, 139-147-8, which throws some light on the transmission. In the family of Douglas of Cavers, as we have seen, was invested the sheriffwick of Roxburgh. After the Reformation, the patronage of the church of Cavers, which, as we have perceived, belonged to the monks of Melrose, was granted to Douglas of Cavers, with whose descendants it yet remains. On the 11th of June, 1646, a parliamentary ratification passed in favour of *the sheriff of Teviotdale* [Douglas], of the kirklands of Cavers. Unprinted Act of that date. The town of Cavers was wasted by the English during their courtship of Mary Stewart. For other notices of this parish see the Statistical Account, vii., 89.

canons "ecclesia de valle Lidel" (*o*). When the pertinacious controversy between the bishop of Glasgow and the abbot of Jedburgh was settled in 1220, it was agreed that the vicarage "de Lidel Sancti Martini" should remain as the charter of the bishop had fixed it and that the chaplain officiating "in ecclesia de Lidel," as well as the prior residing there, should always yield canonical obedience to the bishop (*p*). The first notice, however, of the church of Castleton, is in Bagimont's Roll, wherein the "*vicaria* de Casseltoun" is valued at £4. There was formerly a church, with its accompanying cemetery, which is still used, at Etteltoun, upon the west side of Liddel, in the southern end of the dale (*q*). In Bagimont's Roll, among the churches in the deanery of Teviotdale, there is "*rectoria* cum vicaria de *Eddingtoun*," valued at £2 13s. 4d. As this intimation follows immediately Castleton, there can be no doubt that the Eddington of Bagimont and the Ettletoun of Blaeu are the same. On the springs of the Liddel stood of old the *Wheel Church*, which appears to have been of large dimensions and of excellent masonry, with its accompanying cemetery, that still exhibits to the living many memorials of the dead. At present when the sheep everywhere supersede the people, there are only three farms within many miles of this monument of ancient piety. This church no doubt derived its name from its position near the *Wheel* Causeway, the modern name of the Roman way, which leads down from Stanmore, and crosses the north-east corner of Liddesdale into Teviotdale; and this causeway obtained its designation during the Middle Age, when wheels could only roll in this dreary district, on the Roman road. At the Hermitage castle there stood once the baronial chapel, which was involved in the ruin of its lord, and its appropriate cemetery, that still offers repose to the honest descendants of the border thieves (*r*). At Dinlabyre, on the eastern side of Liddel water, there was formerly a chapel with its accompanying cemetery (*s*). There was also, on the south-west of Liddesdale, a chapel with its burying-ground, at a place which was named from its location *Chapel-knowe*. During many a year the repression of disorders in this frontier district occupied the national councils. In November 1524, the parliament issued an ordinance "for snatching of thift, through all the realme, and specially in *Lidisdale* and upon *the borders* (*t*)."

(*o*) MS. Mon. Scot., 29. Confirmed by William, by Alexander II., and by Robert I.

(*p*) Chart. Glasgow. In a bull of Pope Alexander, in 1178, confirming to the Bishop of Glasgow the churches of Tevedale, Tuedale, Cludesdale, Eschedale, Ewisdale, there was the church of *Lideles-dale*. This bull was confirmed by Pope Lucius, in 1181, and Pope Urban, in 1186.

(*q*) The map of Liddel in Blaeu.

(*r*) Stat. Acco., xvi., 71-82. Old Sir Richard Maitland, who, as a border commissioner of long experience, knew this country has left us a poem on *the thieves of Liddale*. (*s*) Id.

(*t*) Parl. Rec., 545.

In February 1524-5, the parliament ordained "that letters be directit to charge "all the headsmen and clans of the *Merse*, *Teviotdale*, *Lidisdale*, Ewisdale, "Eskdale, and Annandale, to deliver pledges in Edinburgh to the Lords of "the Council, for good rule and peaceable living (*u*)." In December 1540, the lands and lordship of Jedburgh-forest, with the lands and lordship of *Lidisdale*, were annexed to the crown by act of parliament (*x*). The lands and dominion of *Lidisdale* appear to have been granted to Francis, Earl of Buccleuch, on the 2nd of January 1648 (*y*). The more curious reader may see many other notices of the parish of Castleton in the Statistical Account (*z*). [Dr. John Armstrong the poet was a native of this parish. The parish church was erected in 1808. The number of communicants, including those of a mission station at Saughtree is 492. The stipend is £410. There is also a Free Church with 130 members, a U.P. Church with 225 members, and an E.U. Church.]

Of the parishes forming this shire, six are contained in the Presbytery of Melrose, or rather Selkirk. The ancient name of the parish of MELROSE was *Fordel*. But, upon the re-establishment of the monastery of Melrose in 1136, the name of the old monastery was transferred to the new; and has, in the progress of change, entirely superseded the ancient appellation of Fordel, which, however, was confined rather to the village than to the church that stood near the prior establishment. After the refounding of the religious house, the annals of the abbey, and the history of the parish, were the same till recent times. The present parish of Melrose, besides a large district around the monastery on the south of the Tweed, comprehends on the northern side of it, the whole of Roxburghshire, which lies between the Leader and the Gala. In this district of the parish, there were of old three chapels. One at the village of Gattonside, on the north bank of the Tweed; another at Colmslee on Allan water, where the monks had their *dairy* of old in the centre; and the third lying in the northern extremity of this parish was called Chieldhelles chapel. The chapel at Gattonside must have been appurtenant to some manor, if we may determine from its materials of free-stone, and its regularity of architecture (*a*). The chapel at Colmslee was dedicated to the founder of Iona Abbey (*b*). The Chieldhelles chapel was of hewn stone. The place where it stood still bears its name (*c*).

(*u*) Parl. Rec., 548. (*x*) Ib., 624.

(*y*) Rec. Lib., 58, No. 320. (*z*) Vol. xvi., 60. (*a*) Milne's Melrose, 60.

(*b*) Colms-lee derived its name from the abbreviation of Columba and A.-S. *Leag*, a field, pasture, or place, and is now called lee or lea. The ruins of this chapel may still be traced. Ib., 66.

(*c*) Stobie's map of this shire. More recent intimations as to the parish of Melrose, may be found in the Stat. Acco., ix. 77. [The present parish church was erected in 1810, and has 776 communicants. The stipend is £373. A Free church has 268 members; A U. P. church (1872) has 338 members. There is an Episcopal church, erected in 1849, with 250 members; an Evangelical Union church; and a Roman Catholic mission station.]

SAINT BOSWELLS or LESSUDDEN parish bears a double name. The former is the proper appellation of the church, and the latter is merely the name of the principal hamlet. The church is said to have derived its ancient name from St. Boisel, a monk of Melrose, and the pious master of the celebrated Cuthbert. Boisil has been praised by Bede, and has been ensainted by the martyrologists. The charters of the twelfth, thirteenth, and fourteenth centuries, constantly spell the name of the village, Less-edwin, Less-adwyn, or Less-edewyn, the manor place of Edwin (*a*). During the reign of William the Lion, Robert de Loudonia, the lord of the manor, granted to the monks of Dryburgh the church of Lessudden, for the safety of the souls of his king, of his father, Richard de Loudonia, and of his mother, Matildis de Ferrers. This grant was confirmed by Joceline, the bishop of Glasgow (*b*). The confirmation, however, both of the king and of the diocesan did not prevent controversy. The monks of Dryburgh and the canons of Jedburgh contended about their several rights, in the church of Lessudden, and two marks, which were payable out of the church to the canons of Jedburgh (*c*). In 1221, Less-edwin was settled by Alexander II. on Johanna his queen as a part of her jointure (*d*). Robert I. granted to the monks of Melrose the lands of Lessudden (*e*). The English of the middle march, on the 5th of November, 1544, burnt Lessudden, wherein were "sixteen strong bastel houses," slew several of the owners thereof, and destroyed much corn (*f*), out of pure love to Mary Stuart, whom Sir Ralph Sadler certified to be a goodly child (*g*). [The parish church was erected probably in 1652, repaired in 1791, enlarged in 1824. The communicants number 309, and the stipend is £391. A Free Church has 195 members, and a U. P. (1870) at Newton has 235.]

MAXTON, the name of the adjoining parish, is a mere abbreviation of the ancient name of Maccus-ton, in the same manner as Maxwell is an abbreviate

(*a*) There is reason to believe that the name of this village was imposed by the British rather than the Saxon settlers here, for the word is formed in the British and not in the Saxon manner, by placing the adjunct to the person *before* and not *after* his name. *Leys* in the British, *Les* and *Lis* in the Armoric and Cornish, and *Lios* in the Irish, signify a court, a hall, a manor-house, a fortified place. See the several word books. Edwin, the celebrated sovereign of Northumberland, undoubtedly gave his name to Edwinsburgh or Edinburgh; but it was probably some prior Edwin, who having formed a settlement here had built himself a fortlet.

(*b*) Chart. Dryburgh, No. 39-40-41. Robert de Loudonia, the natural son of William the Lion, granted to the same monks three shillings in money, and one pound of pepper out of his toft within the village of Lessudden. Ib., No. 42. (*c*) Ib., 43.

(*d*) Rymer, i., 252. "Lessedwin, cum pertinentiis suis," were thus settled on Johanna, the sister of Henry III. (*e*) Robertson's Index, 5. (*f*) Border Hist., 550.

(*g*) For more recent information about the parish of Lessudden, see the Stat. Acco., x., 204.

of Maccus-vill. Maccuston derived its name from a considerable person named Maccus, whose tun, habitation, or manor, it was in the age of David I. (*h*). At the end of the twelfth century Robert de Berkeley, and Cecilia, his spouse, granted to the monks of Melrose for the safety of many souls, a carucate of land in the parish of Mackiston, with common of pasture and fuel, as well in the *peataria* as in the wood, saving the *tithes* of St. *Cuthbert's church* of Mackiston (*i*). Joceline, the bishop of Glasgow, confirmed this grant before the year 1199 (*k*). An agreement was made in 1227 between the monks of Melrose and the church of Mackiston, whereby the monks obliged themselves to pay to the parson of that church four marks of silver yearly, as a composition for the tithes of their lands in Mackiston (*l*). In Bagimont's Roll, among the churches in the deanery of Teviotdale, the "*vicaria* de *Maxton*" was valued at £2 13s. 4d. The barony of Mackiston with other lands, which had been forfeited by William Soulis, were granted by Robert I. to Walter the Stewart of Scotland (*m*). Walter granted to the monks of Dryburgh the advowson of the church of Mackiston, with four acres of arable land in augmentation of their land-revenue (*n*). Robert II. granted the manor of Mackiston to Sir Duncan Wallace, and Eleanor de Brueys, the Countess of Carrick (*o*). There was of old, a church as well as a hospital in the north-eastern quarter of Maxton parish. This district formerly comprehended the church of Rutherford. Before the year 1483, James Rutherford, of the same place, granted the patronage of the church of Rutherford that had pertained to the Earl of Douglas (*p*). When the church of Rutherford sunk

(*h*) *Maccus*, the son of Undewyn, was one of the witnesses to the *Inquisitio* of Earl David in 1116 A.D. Maccus was also a witness to the foundation charter of Selkirk by Earl David; and Maccus, the son of Unwein, was again called as a witness to a charter of David, before the year 1147. Diplom. Scotiæ, pl. xiv. Liolph, the son of Maccus, was one of the witnesses to a charter of Malcolm IV., in 1159 A.D. Ib., xxiv.

(*i*) Chart. Melrose, No. 27.

(*k*) Ib., No. 28. Hugh de Normanville became lord of the manor of Mackistoun, by marrying Alice, the daughter of Robert de Berkeley. The Normanvilles continued lords of this manor throughout the thirteenth century. Chart. Melrose, from No 27 to 47.

(*l*) Ib., No. 39. This was confirmed by a bull of Pope Honorius. Ib., No. 40.

(*m*) Robertson's Index, 21.

(*n*) Chart. Dryburgh, No. 186. This was confirmed in 1326 by John, the Bishop of Glasgow, and by his dean and chapter. Id.

(*o*) Robertson's Index, 115. On the 12th of March, 1478-9, an action was pursued in Parliament by John Hume of Over Crailing, against Laurence Rutherford, about the wrongful spoliation of the "*teind shafis*" of the kirk of Maxton. The lords found that the said Laurence had done "wrang in the taking of the said teinde shavis." Parl. Rec., 2-39.

(*p*) Nisbet's Herald. Apx., 219.

into ruins the advowson of it fell into oblivion (*q*). [The Parish Church is of unknown date, but was repaired in 1812 and 1866. The communicants number 163, and the stipend is £340.]

In the charters of the twelfth century the name of the parish of BOWDEN is written variously *Bothendene, Botheldene,* and *Bouldene.* The village of Bowden is, in fact, situated upon a *dene,* through which runs a rivulet, the ancient church is said to have stood in this *dene* or *vale;* and higher up on this rivulet stands Haly*dean,* a village, and seat of the Duke of Roxburgh. The *dene* undoubtedly represents the valley, and the only difficulty arises from the prefix *Bothen, Bothel, Bould.* Though a zealous etymologist might run into the Cambro-British speech for a solution of this difficulty, the safest resource is in the Anglo-Saxon; and herein we find *Botl,* and *Botel,* a dwelling place, a village, a farm, a manor. So *Botel-dene* is obviously the manor-place in the *dene,* or valley; and Bothel-dene was abbreviated to *Bouldene,* which was itself corrupted to *Bowden.* This place is first mentioned in the foundation charter of Selkirk, before the year 1124, when it was granted to the monks by David I., under the name of *Bothenden.* When this excellent prince removed those monks to Kelso in 1128, he again granted it to them by the name of *Bouldene* (*r*). Malcolm IV. confirmed this parish to them in 1159 by the name of Botheldene (*s*). Walter, the bishop of Glasgow, confirmed to the monks of Kelso in 1232 the *church of Boulden* (*t*). At the commencement of the fourteenth century the monks of Kelso held the church of Boulden "in rectoria," which was usually worth £10 13s. 4d. a year. They enjoyed also the manor of Bowden, in which there were twenty-eight husband-lands, whereof each used to rent for six shillings and eight-pence, with a variety of useful services from the husbandmen. The monks had also, in the village of Bowden, thirty-six cottages with a dozen acres of land which rented each for £2 15s. 4d. yearly, with the commodious addition of many services. In this village they had four brewhouses, whereof each used to rent yearly for ten shillings. But the abbot had a right, moreover, from each, to buy a lagena and a half of ale for a penny; and the monks had also the mill of Bowden,

(*q*) The village and barony of Rutherford still remain. On the border, between the parishes of Maxton and Ancrum, stands the ridge called *Lilliard Edge,* where the English under Ewer and Layton were defeated in 1542 by the Earl of Angus. The Scots had the irresistible aid of the maid Lilliard, another maid of Orleans, whose tombstone, with an appropriate inscription, still remains. For some other particulars of Maxton parish see the Stat. Acco., iii. 276.

(*r*) Chart. Kelso, No. 4.—No. 1. In those charters was granted also the *vill of Middelham,* which has been abbreviated colloquially to *Midlem,* which still appears as the name of a village and estate in Bowden parish. (*s*) Diplom. Scotiæ, pl. xxiv. (*t*) Chart. Kelso, No. 278.

which used to rent yearly for eight marks (*u*). In Bagimont's Roll, among the churches in the deanery of Teviotdale, the "*vicaria* de Bowden" was valued at £2 13s. 4d. There was of old a chapel, with its appropriate cemetery, at *Holydean*, in the parish of Bowden (*x*). It stood on the brink of a *dene*, or valley, through which runs a rivulet, and from these circumstances the place derived the name of Holydene, or rather *Haly*-dene, according to the Scottish and Saxon dialects, which is nearer the Anglo-Saxon *Haliz-dene* than the English of the maps. Halyden was a grange of the monks of Kelso, who used to labour it with three ploughs, and pasture it with twenty-four cows, forty wedders, and two hundred ewes, at the beginning of the fourteenth century. In 1569 Walter Ker of Cessford obtained for border services a grant of the lands of Halydean (*y*). [The Parish Church dates from at least 1666. Communicants 325, stipend £347. A Free Church has 115 members.]

The name of the parish of LILLIESLEAF is plainly a corruption of Lilliesclif, which appears from record to have been the ancient appellation. Some of the cliffs which form the rugged and steep banks of Ale water near the site of the village, received no doubt the name of *Lilliesclif* from some person who cannot now be traced (*z*). In the *Inquisitio* of Earl David, *Lillescliva* was found to have belonged to the church of Glasgow before the year 1116 A.D. This parish was confirmed to the bishopric of Glasgow by the bulls of several popes before the year 1186, under the name of *Lillesclive* (*a*). In 1128 David I. granted to the monks of Kelso thirty acres of land in the parish of *Lillesclif*, lying between the Ale and the rivulet Middleham and Lillesclif, and also the tithes of the mill of Lilliesclif (*b*). Herbert, the bishop of Glasgow, who died in 1164, confirmed to the same monks the tithes of those lands which had been granted to them by David I. (*c*). The bishop of Glasgow is said to have built the church here in the ninth or tenth century, when there was no bishop of

(*u*) Chart. Kelso. In 1327 there was an inquest held at Bowden, concerning some carucates of land in Biestfield, which were bound to find one armed man who ought to be the leader of thirty of the principal tenants belonging to the barony of Bowden, for the king's host. Chart. Kelso, No. 468.

(*x*) Stat. Acco., xvi., 241. (*y*) Douglas' Peerage, 594.

(*y*) The Ang.-Saxon *Clif* signified *littus, ripa,* as well as *rupes, cliva,* Somner, Lye. It was the practice of the Northumbrians to apply this term to many places, as we may see in the maps of Northumberland and Durham. In a charter of Robert de Berkeley to the monks of Melrose, before the year 1199, *Lilies*-yhates is mentioned as lying in the same parish of Lilliesclif. Chart. Melrose, No. 27.

(*a*) Chart. Glasgow.

(*b*) Chart. Kelso, No. 1. This was confirmed by Malcolm IV. Diplom. Scotiæ, pl. xxiv.

(*c*) Chart. Kelso, No. 437.

Glasgow ()c. There was anciently a church at *Herdmanston* in this parish (*d*). There was of old a chapel near Riddel, with its appropriate cemetery, which was called *Chapel-park*, where human bones are still ploughed up ; and a hamlet at this place of the name of Chapel marks the ancient site (*e*). The family of Riddel are said to have fixed themselves here in the seventh or eighth century (*f*). It may be allowed to this ancient race that Gervise Riddel came into Scotland with David I. and witnessed the *Inquisitio* 1116. Gervise Riddel has the honour of being the first sheriff of Roxburghshire who has yet been discovered. He died about the year 1140, after acquiring the manor of Lilliesleaf and other lands. He left a son, Walter, who succeeded to his estate ; and Arketelle, who came into possession of the same property upon the death of his brother Walter without issue. Arketelle entered into an agreement with Uchtred, the parson of Lilliesleaf, about the tithes thereof, by the mediation of Malcolm IV., which was confirmed by the bull of Alexander III. Patrick Riddel, the great grandson of Gervise, the founder of the family of Lilliesleaf, granted, for the safety of Alexander II.'s soul, to the monks of Melrose some lands in Lilliesleaf, and pasture for 12 oxen, 10 cows, 5 horses, and 100 sheep, wheresoever his own cattle or the cattle of his men pastured within the same district (*g*). The Riddels long flourished here and gave their own name to the village of Riddel, and to the hamlet of Riddel-shiel on the Ale water within the parish of Lilliesleaf (*h*). [The present Parish Church was erected in 1771, and repaired and altered in 1883. Communicants 248, stipend £398. A U.P. Church has 166 members.]

The name of the parish of ASHKIRK in the records of the twelfth century is spelt *Aschechyrc*, and *Aschechirk* (*i*). In more recent times this parish has been called *Asckirche*, *Eschirche*, *Eskirk*, and *Askirk*. The original name is

(*c*) Stat. Acco., xvii., 178. The University of Glasgow receives yearly from this parish £5 7s. 6½d. Id. A new church was built here in 1771. When the old fabric was taken down on this occasion there was found below one of the seats a coffin containing several human heads. Ib., 179. These were supposed to be the heads of some conventiclers, who, being pursued when attending a field meeting, fled into a moss, where they perished. Id.

(*d*) In 1186 Pope Urban confirmed to the Bishop of Glasgow the church of *Herdmanston*, with the church of Lilliesleaf. Chart. Glasgow, 103. (*e*) Stobie's map of this shire.

(*f*) Stat., xvi., p. 108. William de Rochford, the parson of the church of *Lillesclive*, swore fealty to Edward I. at Berwick, on the 28th August, 1296. Prynne.

(*g*) Chart. Melrose, No. 67.

(*h*) Stobie's Map of this shire ; Douglas's Baronage, 63-8. For more recent particulars of this parish of Lilliesleaf, see the Stat. Acco., vii., 173. (*i*) Chart. Glasgow.

plainly Anglo-Saxon (*k*). If Somner were silent, the topography both of England and of Scotland, would evince that the name of Ashkirk had been imposed here by the Scoto-Saxon settlers during modern times. In the *Inquisitio* of Earl David, *Aschechyrc* was found to have belonged to the church of Glasgow before 1116 A.D. It was confirmed to this episcopate by various bulls of several popes before the year 1186 (*l*). Ashkirk formed one of the prebends of the chapter of Glasgow. In the *taxatio* of the prebends in 1401, it was rated at forty shillings (*m*). William, the bishop of Glasgow, being informed that the emoluments of the prebendary of Ashkirk was scarcely sufficient in time of peace, and altogether insufficient in time of war, with the assent of Simon de Dalgles, the prebendary and vicar of Ashkirk, who then received the vicarious dues of sheep, wool, lambs, cheese, oblations, and tithes, united in 1448 the vicarage to the prebend (*n*). In Bagimont's Roll, among the churches which belonged to the chapter of Glasgow, the "rectoria de Eskirk" is valued at £5. In 1674, there was a grant to Alexander, the archbishop of Glasgow, of the advowsons of Ancrum and Ashkirk (*o*). In 1706, the patronage of the church of Ashkirk with the whole tithes were granted to Sir Gilbert Elliot (*p*). A small division of this parish is comprehended in Selkirkshire. During the reign of William the Lion, Orm of Ashkirk was lord of this manor (*q*). There was afterward an agreement between Henry of *Eschirche* and his brother Alexander, whereby Henry resigned to Alexander one half "totius feodi de Eschirche;" rendering homage for the same, and one half of the services due for the fief of Eschirche (*r*). In 1534 and 1535, Richard Bothwell, the rector of Ashkirk, was often employed as one of the commissioners for continuing the parliament. In June 1535, he was present among the clergy in the Estates, and was chosen one of the lords of articles (*s*). This instance, with other parliamentary notices, seem to evince that such of the inferior clergy as the king thought fit, were called by writ to attend in parliament. For more recent informations with respect to this parish, the Statistical Account may be properly inspected (*t*). [The parish church was erected in 1791; communicants, 129, stipend £320. A Free Church has 50 members.]

Thus much, then, as to the several parishes in the Presbytery of Melrose. Of the districts in Roxburghshire, the only parish which lies in the presbytery of Lauder is SMAILHOLM. In ancient charters this name is written *Smalham* or

(*k*) *Aese*, A.-S. ash, the ashtree; and *Cyrc*, a church. Somner. There are many places in North Britain which are also derived from the ashtree, as Ashfield, Ashgrove, Ashiebank, Ashieholm; and still more in England, as we may see in Adams's *Villare*.

(*l*) Chart. Glasgow. (*m*) Id. (*n*) Id. (*o*) Warrant Book. (*p*) Id.
(*q*) Chart. Glasgow, 217. (*r*) Ib., 175. (*s*) Parl. Rec.. 591-93. (*t*) Vol. III., 216.

Smalhame. Smalham obviously means the little ham, the small hamlet or village; and Smailholm is plainly a modern corruption. David Olifard granted to the monks of Dryburgh a carucate of land in the manor of *Smalham*, with common of pasture for three hundred sheep, and the consideration of this grant was declared to be for the remission of his own sins, and for the safety of the souls of those who had given him the same lands (*u*). The piety of Olifard, who was one of the most respectable men of that age, was approved by Malcolm IV. (*x*). Walter de Moravia granted to those monks that they should be free from the payment of multure for their lands of *Smalhame* (*y*). Walter Olifard, who died in 1242, gave the monks of Coldingham the church of Smailholm (*z*). In the ancient *taxatio* of the churches, during the reign of Alexander II. the church of *Smailholm*, in the deanery of the Merse, was rated at forty-five marks. On the 3rd of June 1493, the lords auditors of parliament decreed that Thomas Hoppringill does *wrang* in the manuring of the kirkland of Smailholm; and therefore ordains him to desist therefrom, for the enjoyment of Thomas Dishington, during the term in the lease made to him by "Den George Deware, vicar of the same kirk (*a*)." For more recent notices of this parish, the Statistical Account may be usefully consulted (*b*). [The parish church was erected probably in 1632, and has been repaired at various times, but particularly in 1821. The communicants number 153, and the stipend is £290.]

The Presbytery of Kelso comprehends nine of the parishes of Roxburghshire. The parish of Kelso includes the old parish of the same name on the northern bank of the Tweed, and the castle and town of Roxburgh. The ancient parish of KELSO lay in the bishopric of St. Andrews, and the parishes of Roxburgh and of Maxwell in the episcopate of Glasgow; the Tweed being here the boundary of the two bishoprics. As early as the accession of David I. there was a church at *Kelso*, which was dedicated to the Virgin Mary. In 1128, David, with the consent of the bishop of St. Andrews, removed the monks of Selkirk to this church at Kelso. From this epoch, the history of Mary's church was mingled with the annals of the Monastery of Kelso. It was now called the church of St. Mary and St. John (*c*), as the Tyronensian monks usually consecrated their monasteries to the Virgin and the Evangelist. In the church of Kelso there were of old several altars, which were dedicated to favourite Saints (*d*). When the Scoto-Saxon period began, Roxburgh had already two

(*u*) Chart. Dryburgh, No. 117. (*x*) Ib., No. 118. (*y*) Ib., No. 119.
(*z*) Chart. Colding., No. 18. (*a*) Parl. Rec., 376.
(*b*) Vol. III., 216. [See also Jeffray's Roxburgh, III., p. 133.] (*c*) Chart. Kelso, No. 371.
(*d*) Walter Ker, of Cessford, amortized an annual rent of twenty marks yearly, out of his lands of Old Roxburgh, to a chaplain for St. Catherine's altar, in Kelso; and this grant was confirmed by James IV. on the 20th November, 1488. MS. Donations.

churches. The church of the town was dedicated to St. James (*e*); the church of the castle was dedicated to St. John. The church of St. James was mentioned by David, in his charter to the monks of Kelso (*f*). He granted a very liberal endowment to the church of St. John, in the castle, which was confirmed by his son, and grandson (*g*). Malcolm IV. granted to Herbert, the bishop of Glasgow, the church of Old Roxburgh, with its appurtenances, as Asceline the archdeacon held the same under David; and Malcolm also gave bishop Herbert the chapel of the castle of Roxburgh, with its appurtenances, as the same had been enjoyed by Adam the chaplain under David his grandfather (*h*). The monks considered the church of Roxburgh as a part of their estate, which yielded them yearly £13 6s. 8d. They thought more of their revenue than of the *cure of souls;* and, in 1433, the abbot of Dryburgh, as delegate of the pope, issued a mandate, directing the abbot and monks of Kelso to find a chaplain for the church of St. James in Roxburgh (*i*). In 1241, Alexander II. granted for the sustentation of his two chaplains within the castle of Roxburgh, ten pounds a year, to be received of the provost of Roxburgh out of the firm of the Burgh (*k*). In Bagimont's Roll, among the churches belonging to the chapter of Glasgow, the "rectoria de *auld* Roxburgh" was valued at £12. The church of St. James in Roxburgh seems to have enjoyed, at the commencement of the thirteenth century, a sort of exempt jurisdiction (*l*). St. James continues

(*e*) An. 1134, Dedicatio ecclesia sancti Jacobi de Rokesburgh. Chron. Melrose.

(*f*) Chart., No. 1.

(*g*) Chart. Glasgow, 265-7-9. He thereby gave to this church a carucate of land from his demesne of Roxburgh, a toft and a measure of land below the castle, the oblations of those who lived in the castle, the oblations of his own family when they resided there, like one of his own chaplains, and the tithes of his brushwood, and a tenth part of the blood of the beasts which should be slaughtered in Teviotdale for the king's use. Id. Such were the singular manners of that simple age!

(*h*) The worthy Hubert, who died in 1164, restored to the churches of Roxburgh that part of the parish which lay without the ditch of the town, between the Tweed and Teviot, and which he held under a composition with King Malcolm; and he conceded the same churches without diminution to the monks of Kelso. Chart. Glasgow, No. 412. In 1232, Walter, the bishop of Glasgow, confirmed to the monks of Kelso the churches and schools of Roxburgh, as Joceline and Herbert had granted them.

(*i*) Chart. Kelso, No. 485.

(*k*) Chart. Glasgow, 271. Adam, the parson of the church within the castle of Rok*burk*, swore fealty to Edward I. on the 28th August, 1296, at Berwick, Prynne. At the same place and time, Nicol, the chaplain of the Maison Dieu of *Rokburk*, also swore fealty to Edward. Id.

(*l*) Chart. Glasgow, 59. During the wretched reign of David II., John Spottiswoody, of Spottiswood, founded an altarage in the church of St. James, in Roxburgh. Dougl. Baron., 446. The

to be the present patron of the principal fair in Roxburghshire. Edward III., when he had acquired by force and fraud the temporary dominion of this county, seems very studious to supply the prebendal stall of Old Roxburgh (*m*). Roger de Aulton endowed in the monastery of Kelso a chauntry for one priest, to perform mass for the soul of Edward I., which this great king confirmed, on the 1st of May 1300 (*n*). The old parish of Maxwell, or according to its ancient orthography, Maccuswel, and Maccuswill derived its name from its proprietor, Maccus, whose *vill* it was. Maccus, the son of Unwein, witnessed many charters of David I., as Liolph the son of Maccus witnessed the charters of Malcolm IV. (*o*) Herbert de Maccuswell gave the church of his *vill* to the monks of Kelso, to whom it was confirmed by Malcolm IV. (*p*). In 1232, Robert, the bishop of Glasgow, confirmed to the same monks the church of Maxwell, which had been also confirmed by William the Lion, and the chapel of Harlaw, that stood at a farm named *Chapel*, about a mile from Maxwell (*q*). The chapel of Harlaw appears to have been founded in his court by Herbert de Maccuswell, and by him dedicated to St. Thomas the Martyr, according to the practice of the reign of William. Joceline, who ceased to be bishop of Glasgow in 1179, confirmed to the church of St. Michael of Maccuswell the new oratory, which Herbert had erected in honour of St. Thomas the Martyr, with a toft that Herbert annexed to his chapel (*r*). In 1362 Edward III. gave

Spottiswoodes of that ancient house still spell their respectable name with a final (*e*). The name was of old pronounced by provincial tongues, as we see above, Spottiswoody; and so in the war cry of *Henwody*.

(*m*) In his 11th year he issued a writ de prebenda de veteri Roxburgh in eccles. Glasguen., in favour of Andrew of Ormiston. Ayloffe's Cal., p. 179. In his 22nd year he issued a similar presentation to Richard de Swynehope. Ib., 204. In his 26th year he issued a presentation for the same to William de Emeldon. Ib., 210. In his 35th year he granted the same to John de Baumburgh. Ib., 224. In his 43rd year he granted the same to Richard de Middleton. Ib., 234. Richard II. followed his example. In his 2nd year Richard granted the same prebendal stall to William de Shrewsbury. Ib., 243. Richard, in the 11th of his reign, granted to Bertine Karre the rents and issues of the church of Roxburgh. Ib., 255.

(*n*) Chart. Kelso, No. 502-3.

(*o*) *Inquisitio* David, 1116. Diplom. Scotiæ, pl. xiv., pl. xxiv. Maccus-*tun* and Maccus-*vill* are very nearly allied, the termination of the one being Saxon and the other Norman. *Vill* was used by Hall, and is still used by law writers, though Johnson saith it is now out of use. By intendment of law, every parish is a *vill*, unless it be shewn to the contrary; and every vill must have a constable, otherwise it is but a hamlet.

(*p*) Chart. Kelso, No. 2. For the descendants of Herbert de Maccuswell, see Dalrymple's Col., p. 436; Douglas's Peerage, 514.

(*q*) Chart. Kelso, No. 12. Ib., No. 278; Pont's Map of Teviotdale, and Stobie's Map of this shire. (*r*) Chart. Kelso, No. 420.

to Thomas du Middleton, the chapel of St. Thomas, the martyr, near Roxburgh (*s*). In 1389 Richard II. granted to Allan Horsle and his heirs, the vills of Maxwell and Softlaw, in the land of Tevydale (*t*). The monks of Kelso held of old the church of Maxwell, "in rectoria," which was then valued at £11 16s. 8d. yearly (*u*). Robert I. granted to Hugh de la Vikers, the lands and villages of Roxburgh, Berton, and Maxwell, which had belonged to Ade Mindrom and William Dalton (*x*). Robert II. granted to John de Maxwell, the lands of Softlaw, in the barony of Maxwell (*y*). In the parish of Kelso, which was so long occupied by monks, sectaries now abound. Here are an Episcopal chapel, a kirk of Relief, and meetings of Burghers, Anti-burghers, Cameronians, Methodists, and Quakers, who, as they are all tolerated, enjoy in peace their peculiarities and practices. [The parish church was erected in 1773, and altered in 1823. A second church was erected about 1838, and now forms the north church of Kelso, and a *quoad sacra* parish. The communicants of both churches number 1220. There are two Free churches, with 625 members; two U.P. with 756; an Episcopal with 296; a Roman Catholic, and a Baptist church.]*

The name of the parish as well as the shire of ROXBURGH is derived, as we have seen, from the castle or *burgh*. The new village of Roxburgh was perfectly known, as well as the old in the early age of David I. (*z*). The present parish of Roxburgh lies on both sides of the Teviot, and between this river and the Tweed, extending its limits to the walls of the ancient fortress; but the site of the castle, and the precincts of Old Roxburgh, are now included in Kelso parish. In the vill of Farnington, within the parish of Roxburgh, there was formerly a chapel, which depended on the mother church of Old Roxburgh. Pope Urban, who died in 1186, confirmed to Joceline, the bishop of Glasgow, the church of Old Roxburgh, with *the chapel of Farningdun* (*a*). [The parish church was erected 1752, repaired 1828. Communicants, 325; stipend, £294.]

(*s*) Ayloffe's Cal., 225. (*t*) Ib., 257. (*u*) Chart. Kelso.
(*x*) Robertson's Index, 5. (*y*) Ib., 115. (*z*) Chart. Kelso, No. 1.

* [See also Jeffray's Roxburgh, v. iii.; Haig's Kelso, 1825; Mason's Kelso Records, 1839; and Rutherfurd's Guide to Kelso.]

(*a*) Chart. Glasgow, 104. The barony of *Farnydun* in this shire is mentioned in the charter of Robert II. Robertson's Index, 97. Roger Burnard, who was the lord of the manor of Farningdun during the reigns of William and of Alexander II., granted to the monks of Melrose a part of his *peatary* and thirteen acres of land in the vill of Farningdun; and this grant was confirmed by two charters of Alexander II. Chart. Melrose, No. 48-9-50-1. He was succeeded by Richard Burnard, lord of Farningdun, who sold to the monks of Melrose eight acres of meadow, which sale was confirmed by Alexander II. On the 6th of July, 1476, appeared before the lords auditors in parliament James Sprot, who had been summoned by Duncan of Dundas, as curate to William Maitland of Lethington, for the wrongful occupation and manuring of *the chapel lands of Faringtoun* pertaining to the said Duncan, as curate to the said William, &c. Parl. Rec., 204. For other particulars of Roxburgh parish, see the Stat. Acco., xix., 114.

The parish of EDNAM derives its abbreviated name from Edenham, the vill on the *Eden*, which itself has the honour to bear a Cambro-British appellation. The waste here, as we have seen, was given by Edgar to Thor-longus, who improved the gift, built a church in honour of Cuthbert, which he gave to the monks of Durham (*b*). David granted to the monks of Coldingham a toft, with houses, in Ednam (*c*). The kings had at Ednam a large mill, from which David granted to the monks of Kelso, in 1128, twelve chalders of malt in *turbary*, in the moor of Ednam (*d*). William gave to the same monks three carucates of land in Ednam, as Erkenbald, the abbot of Dunfermline, had laid them out in pursuance of the king's writ, in exchange for twelve chalders of malt, which they enjoyed out of the king's mill of Ednam, twenty chalders of victual, which they had from his mill of Roxburgh, and three marks of money, that they were paid out of the firm of his town of Roxburgh (*e*). As early as the twelfth century the mother church of Ednam had two dependent chapels—the one at Newton, which is now Newton Don, and the other at Nathantorn, that has been contracted to Nenthorn. Robert, the bishop of St. Andrews, who died in 1158, confirmed the connection between the mother church of Ednam and the chapel of Newton, which was so called in contradistinction to the Old-Tun of Ednam (*f*). Arnold, the bishop of St. Andrews, who died in 1162, confirmed to the same monks the church of Ednam, with the chapels of Newton and Nenthorn (*g*). In the taxatio of the church, during the reign of Alexander II., there is the church of Ednam, in the deanery of Merse, valued at fifty-five marks. Ednam was not without its hospital, as well as its church (*h*). Robert I. granted in marriage with his daughter Marjory the lands of Ednam, with other baronies (*i*). Robert, the stewart, confirmed to Sir Robert Erskine, and Christian de Keth, his spouse, Nisbet and Ednam, with the advowsons of the churches and hospitals (*k*). In exchange for those lands, the stewart, when Robert II. granted to Sir Robert Erskine and his spouse one hundred pounds sterling, out of the firm of his burgh at Aberdeen (*l*). In 1558 Ednam, with other villages, were burnt by the Earl of Northumberland, who once claimed much of this country under another destroyer, Edward III. (*m*). [The parish church was erected in 1800. Communicants, 160; stipend, £208.]

(*b*) Smith's Bede, Apx. xx. (*c*) Chart. Coldingham, 3. (*d*) Chart. Kelso, No. 1.

(*e*) Ib., 14. (*f*) Chart. Coldingham, p. 41. (*g*) Id.

(*h*) In 1348 Edward III. issued a writ for restoring the hospitals of St. Mary of Berwick and of Ednam to Robert de Burton. Ayloffe's Cal., 201.

(*i*) Robertson's Index, 9. (*k*) Chart. Aberdeen, 806. (*l*) Ib., 809.

(*m*) Border Hist., 590. The more curious reader may see more recent notices of Ednam parish in the Stat. Acco., xi., 303. Ednam had the honour to produce Thomson the poet, whose worthy father was minister here.

The parish of SPROUSTON, or as it appears in ancient writings, Sproston, may have derived its singular name from some person called *Sprous*, who cannot now be traced, whose *tun* or dwelling it may have been. The same name may, however, be derived from the qualities of the place. *Sprus*, in the Cornish speech, signifies a grain, and seems to be connected with the Saxon *sprote;* and hence Sprus-tun, or Sprote-ton, may denote the place fruitful in grain. This name was very applicable to the fruitfulness of the soil around the village of Sprouston. The earliest notice of this parish is in the foundation charter of Selkirk, during the year 1114 (*n*). When the monks were removed to Kelso in 1128, David I. granted them more fully, in Sprouston, a carucate, with ten acres of land, and the church of the same vill, with the lands to the same belonging; John, the bishop of Glasgow, consenting, and confirming the king's grant (*o*). Eustace de Vescy appears to have obtained the manor of Sprouston from William the Lion, with his natural daughter Margaret, in marriage. In 1207, the monks agreed with Eustace and his wife that they might build a chapel in their court at Sprouston ; the chaplain of the mother church receiving all the oblations of de Vescy and the other parishioners. In return, the lord of the manor confirmed all their possessions in Sprouston (*p*) ; and he also granted the monks of Kelso, in *perpetual alms*, an annuity of 20s. out of the mill of Sprouston, to light their church in lieu of the tithes of the same mill (*q*). In this parish there were other chapels. The monks of Kelso permitted Bernard de Hawden to build a chapel in his court at Hadden. In return he released to them his claims on the mill of Redden, with the mill pond and the lands belonging to it. He confirmed to them a carucate of land at Hadden, and granted them ten acres of land in the same vill, for the safety of William the king (*r*). With much valuable property the monks of Kelso possessed the church of Sprouston "in rectoria," which was wont to be worth yearly £40 (*s*). The church and parish of Lempitlaw were, in early times, annexed to Sprouston. Richard Germyne, the lord of the manor of Lempitlaw, granted to the hospital of Soltre, for the support of this house, and the paupers and pilgrims to the same resorting, the church of Lempitlaw, with the tithes to the same belonging (*t*). In Bagimont's Roll the "rectoria de Lempitlaw," in the deanery of Teviotdale, was valued at £4. At the village of Lempitlaw the ruins of its church may still be seen, and its appropriate cemetery continues to be accustomably used (*u*).

(*n*) Chart. Kelso, No. 1. (*o*) Ib., 379. (*p*) Ib., 206-8.
(*q*) Ib., No. 207. (*r*) Ib., No. 210-212-214. (*s*) Chart. Kelso.
(*t*) Chart. Soltre, No. 4. (*u*) Stat. Acco., xvi., 27.

Robert I. granted the barony of Sprouston to his son Robert (*x*). After the decease of this natural son, the king granted the lands of Sprouston to William Francis (*y*). David II. granted to Thomas Murray the baronies of Hawick and Sprouston (*z*). The same king conferred Sprouston on Maurice Murray (*a*). [The parish church was built in 1781 and altered in 1822. Communicants 310; stipend, £419].

The parish of LINTON derives its name, from a small lake, which is commonly called Linton-loch; lying a little westward of the church, though it has been pretty much drained. *Llynn*, in the British, and *Linn* in the Irish, signify a lake, a pool, or any standing water (*b*). The termination of the name is merely the Saxon *tun*, as we know from Somner, signifying a dwelling place, and was annexed to the *lyn*, to denote the dwelling, at the lake. In the twelfth century, and afterward, the name of the place was coupled with Roderick, the appellation of some proprietor, in order to distinguish it from other Lintons. The church of Linton Roderick was granted to the monks of Kelso by Richard Cumin, whose son John had been buried among them, with half a carucate of land in the manor of Linton Roderick (*c*). Hugh, the bishop of Glasgow, who died in 1200, confirmed to the monks of Kelso the church of Linton Roderick, which Dodin, in his presence, gave them, with the tithes and other property (*d*). Walter, the bishop of Glasgow, confirmed, in 1232, to the monks of Kelso, the church of Linton Roderick, with other religious establishments (*e*). In Bagimont's Roll there is "rectorio de Linton" in the deanery of Teviotdale, valued at £4. The monks, among their possessions of old, estimated the church of Linton Roderick, which they held in *rectoria*, at twenty marks. Robert I. granted certain lands of Linton Roderick, which extended to a *ten* pound land to John Logan (*f*). The same king confirmed to Sir James Douglas the lands of Linton Roderick (*g*). [The parish church is ancient, and was repaired about 1789. Communicants, 117; stipend, £341.]

The name of the parish of *Yetholm* is plainly corrupted from Yet*ham*, which is doubtless the original appellation. *Yet* and *gate* are indiscriminately used in the Scoto-Saxon, both for a *gate* and a *road*. The word is obviously the Anglo-Saxon *Zeat*, *Zete*, *Zate*, porta. So Yet-ham may have been intended to denote the *dwelling* at the *gate*, or the dwelling on the road. In fact

(*x*) Robertson's Index, 12. (*y*) Ib., 15. (*z*) Ib., 45.

(*a*) Ib., 54. For more recent notices of Spronston parish, the Stat. Acco., i., 65, may be consulted.

(*b*) Davis and Owen, O'Brien and Shaw.

(*c*) Chart. Kelso, No. 273. This grant was confirmed by Malcolm IV. and William. Ib., No. 2-12. Diplom. Scotiæ, pl. 12.

(*d*) Chart. Kelso, No. 433. (*e*) Ib., No. 278. (*f*) Robertson's Index, 15.

(*g*) Ib., 27. For other notices of this parish see the Stat. Acco., iii., 119.

this vill stands on the great road which comes through Kelso to the south; and another way crosses the other road at this village. Many places which are situated by the way-sides are called by the name of gate-side. The village, at which stands Yetholm church, is generally distinguished by the name of Kirk-Yetholm, from ano- their vill on the opposite side of Bowmont-water, called Town-Yetholm. William de Hadden, the lord of the manor of Kirk-Yetholm, granted to the monks of Kelso the right of advowson of the church of Kirk-Yetholm (*a*). Alexander II. confirmed to the same monks the donation which Rudulph Næmus made of three acres of land in the parish of Yetholm, which lay opposite to the monks lands of Colpinhopes (*b*). In Bagimont's Roll among the churches in the deanery of Teviotdale, the "rectoria de Yetham" is valued at £2 13s. 4d. In 1304, Edward I. came to Yetholm on his return from his northern expedition (*c*). In 1375, Edward III. issued a writ of presentation to the church of Yetholm (*d*). In the same year he busied himself in exchanging the church of Minto for the church of Yetholm (*e*). In 1379, Richard II. presented Robert Gifford to the church of Yetholm (*f*). Robert II. granted to Fergus Mac-Dougal, the manor of Yetholm, which Margaret Fraser, his mother, had resigned to him (*g*). Robert III. granted to Archibald Mac-Dougal the barony of Yetholm (*h*). Robert Duke of Albany granted to John de Hadden the lands of Yetholm and Hadden, which had been resigned by William Hadden, his father (*i*). [The parish church was erected in 1836, on the site of an older building. Communicants 407; stipend, £440. A Free Church erected 1882 has 175, and a U.P. 231 members].

The parish of MOREBATTLE comprehends the ancient parishes of *Merebatle*, and *Moll*. *Merebotle*, which is the old and proper spelling of the name, signifies the dwelling-place at the marsh, from the Anglo-Saxon *Mere*, palus, stagnum, and *Botl*, villa, domicilium (*k*). The modern orthography of the word would lead us to suppose that the dwelling was originally on the *moor*. Either of these significations would appositely apply to the local qualities of the place, where there was once great abundance both of marsh and moor. By the *Inquisitio* of Earl David, it was found that the church of Glasgow had, before the year 1116, in *Merebotle*, one carucate and a church. The church of Morebattle was confirmed to the episcopate of Glasgow by several bulls of successive popes, before the demise of Urban in 1186 (*l*). But confirmations strong did not

(*a*) Chart. Kelso, No. 481. This grant was made about the end of the fourteenth century. (*b*) Ib., 389.
(*c*) Mestre Walram, the parson of *Yetholm*, swore fealty to Edward I. on the 28th of August, 1296, at Berwick. Prynne.
(*d*) Ayloffe's Cal., 297. (*e*) Ib., 238. (*f*) Ib., 244. (*g*) Robertson's Index, 115.
(*h*) Ib., 148. The descendant of this M'Dougal, softened to M'Dowal, still enjoys this property.
(*i*) Ib., 164. For other notices of Yetholm see the Stat. Acco., xix., 609. (*k*) Somner.
(*l*) Chart. Glasgow, p. 73, 81, 91, 104.

prevent pertinacious controversy. Hugh de Potton, the archdeacon of Glasgow, contended with Walter, the bishop of Glasgow, and Thomas, the rector of Morebattle, about their several rights. The bishop of Dunkeld, the Dean of Lothian, and the Prior of Coldingham, as the delegates of Gregory, settled the dispute, by declaring, in 1228, at Nisbet, that the church of Morebattle was a prebend of Glasgow, yielding yearly twenty marks; that in future the archdeacon should receive thirty marks annually for a mansion, but should claim nothing of the rectory of Morebattle (*m*). In Bagimont's Roll the "rectoria de *Merbotil*," among the churches belonging to the chapter of Glasgow, was valued at £10 3s. 8d. In an ordinance of the bishop and chapter of Glasgow, rating the prebends in 1401, Morebattle is valued at £5 (*r*). Of old there were two chapels in this parish, which were subordinate to the church of Morebattle, there was one at Clifton, on the Bowmont-water; and the other chapel was at Whitton, which is now Nether-Whitton. In 1186, Urban confirmed to Joceline, the bishop of Glasgow, the church of Morebattle, "cum capella de Cliftun, et capella de Whittun (*o*)." Besides the established church, there is now in Morebattle a meeting-house of the Antiburghers (*p*). [The parish church was erected 1757 and repaired in 1840. Communicants, 219; stipend £327. A Free Church has 200, and a U. P. 178 members].

The ancient district of Moll comprehended the country on the upper branches of Bowmont-water, which lies under the eastern range of the border mountains. The church and village of *Moll* stood upon the Bowmont; and there is even now, on the banks of that mountain stream, a hamlet known in vulgar language by the corrupted name of *Mow*-haugh; and a little lower may be seen the ruins of *Mow*-kirk (*q*). *Moll*, in the British, signifies what surrounds or includes: *Moel*, in the same language, signifies bare, bald, what is bare, bald, a heap, a naked hill, a conical hill (*r*). The village of *Moll* stood near the base of Hounam-law, a very high and naked hill, of a conical shape; and it is more than probable, from all those coincidences, that the term *Moel* was applied by the British settlers here to that conical hill, and extended, by design or accident, to the country and village adjacent. The church of *Moll*, "cum terra adjacente," were given to the monks of Kelso by Uchtred of Moll, whose munificence was confirmed by Malcolm IV., in 1159 (*s*). In 1185,

(*m*) Chart. Glasgow, 177-8. (*n*) Ib., 490. (*o*) Ib., 104.

(*p*) Stat. Acco., xvi., 510; wherein more recent notices of *Morebattle* parish may be found.

(*q*) See Stobie's map of this shire, and Pont's map of Teviotdale. So the *Bow*-montwater was anciently written in records *Bol*-bent. Such is the established pronunciation at Edinburgh; boll is *bow*, poll is *pow*. (*r*) Davis and Owen.

(*s*) Diplom. Scotiæ, pl. xxiv. This charter was confirmed also by William. Chart. Kelso, No. 12. The church of Moll was, moreover, confirmed to the monks of Kelso by Herbert, the Bishop of Glasgow, who died in 1164. Ib., No. 413.

Eschina de Londoniis granted to the monks of Melrose the church of Moll, with the adjacent lands, and common of pasture in her manor of Moll, as she then possessed the whole (*t*). Henry of Moll, who married Eschina confirmed to the monks the munificence of his wife (*u*). Walter, the bishop of Glasgow confirmed to the monks of Kelso the church of Moll in 1232 (*x*). The monks of Melrose and the monks of Kelso settled their disputes about the tithes of Moll in 1269 (*y*). When the monks of Kelso took an account of their whole estate soon afterward, they estimated the yearly value of the church of Moll, which they had to *their proper use*, at £26 6s. 8d. (*z*).

The parish of STITCHEL, or rather *Stichel*, in the ancient form, derived its name from the Anglo-Saxon *Stichele*, arduus acclivis (*a*); and the village and church of Stichel are situated, in fact, on the commanding brow of a steep hill (*b*). Thomas, the son of Ranulph and Jana, settled a chauntry in the chapel of Stichele (*c*). The prior and monks of Coldingham settled their disputes with the same Thomas before the pope's delegates, about the lands and the chapel of Stitchel (*d*). Other disputes arose among parties, who were keenly attached to their rights (*e*). In the ancient Taxatio of the churches, during Alexander II.'s reign, there is the "ecclesia de *Stychill*," in the deanery of the Merse, rated at five and thirty marks. The parish of Hume, which lies, in Berwickshire, has been annexed to Stitchel, in order to augment the modern stipend (*f*). [There are 207 communicants of the Established church in the parish, and a U. P. church erected in 1887, has 180 members.]

The name of the parish of MAKERSTOUN was variously written, in ancient documents: Mackarvastun, Malkariston, Malcarstoun, and Macarstoun. The name was doubtless derived from some original settler here, called Malcar, or Mac-car, whose *tun* or dwelling was fixed on this site. Walter Corbet, who was lord of this manor at the middle of the twelfth century, granted to the monks of Kelso the church of Malcaruastun, with a carucate of land. After the confirmation of two kings, Malcolm, and William, this grant was confirmed by

(*t*) Ib., No. 145. Symon, the chaplain of Moll, is one of the witnesses to this grant, which was made "for the soul of her son," who was buried at Kelso. (*u*) Ib., 177. (*x*) Ib., 278.

(*y*) Ib., No. 178. By this composition the monks of Kelso obtained yearly from the monks of Melrose "pro *decimis* garbarum de Ugginges," £10 8s.

(*z*) Chart. Kelso. In this, and in the Chartulary of Paisley, there are many deeds about the manor of Moll. (*a*) Somner. (*b*) There is also a place in Liddesdale named Stichel-*hill*.

(*c*) Chart. Coldingham, 56.

(*d*) Ib., 72. The monks of Coldingham made an exchange with Sir Thomas of some lands in the manor of Stitchel.

(*e*) Ib., 48. There is in 1457 "responsio ad appellationem vicarii de Stichel, cum appellatione "ipsa." (*f*) For more recent notices of those ancient parishes see the Stat. Acco., iii., 290.

Roger, the bishop of St. Andrews, who died, in 1202 (*g*). Before the year 1220, the manor of Makerstoun passed into the possession of William, the son Patrick, the Earl of Dunbar, by marrying Christiana Corbet, who was probably the daughter of Robert Corbet, and the grand-daughter of Walter Corbet. The monks of Kelso tried to be liberal to the grandchild of Corbet, one of their earliest benefactors. They granted, out of their mere motion, permission to William, and Christina Corbet, to celebrate divine worship, in their own chapel of the manor of Makerstoun. In return, William, with the assent of his son Nicolas, and for the safety of his wife, Christian, granted the monks a release of all claims, which he might have on their estates; and he swore before Gaufred, the bishop of Dunkeld, to perform faithfully his release (*h*). In the ancient *Taxatio* of Alexander III., the "ecclesia de Malcariston," in the deanery of Merse, was rated at 20 marks (*i*). [The parish church erected in 1807, has 142 members; stipend, £372. A Free Church has 75, and a U.P. 64 members.]

After all those notices, with regard to the *Ecclesiastical History* of this shire, the *Tabular State* subjoined will be found to be a useful supplement of practical information: It exhibits to the curious eye, and shows to the accurate judgment, the several *presbyteries*, and *parishes*, as every reformation has left them; the extent of each; the number of inhabitants, in each, as they were ascertained, at the successive epochs of 1755 and 1801; the ministers, in each, with the amount of their several stipends, in 1755 and 1798, with their various patrons. So that this *Tabular State* will, perhaps, appear much more comprehensive, as well as useful, than the *Liber Regis*, in the ecclesiastical economy of the neighbour kingdom. [This has been revised to date, and shows the number of churches of every denomination in the county.—Ed.]

[TEVIOTHEAD parish was formed in 1850 from Hawick and Cavers. The church was built in 1850, communicants 142; stipend £300. EDGERSTON *quoad sacra* parish is formed of portions of Jedburgh, Oxnam, and Southdean. The church was built in 1838. Communicants 130, stipend £120.]

(*g*) Diplom. Scotiæ, pl. xxiv.; Chart. Kelso, No. 12, 82, 402. The same Walter Corbet granted to the monks of Melrose, not only the church of his manor, with its appropriate lands, but for *the love of God* gave them that piece of land which was called "Gret riges medow," for the safety of William, his king. We seem here to see a curious scrap of the real language of the munificent Walter Corbet. Ib., No. 234 and 235.

(*h*) Id., No. 238. In the ancient estimate of the monks of Kelso they stated the church of Makerstoun to be "in rectoria," and to be usually worth 20 marks; they had there two carucates of land, with pasture for 300 lambs, which was worth 40 shillings yearly; they had twelve cottages, each having a toft and half an acre of land, with common of pasture for two cows; four of which cottages rented each for four shillings yearly and nine days' labour, and the other four rented each for eighteenpence with nine days' labour; and they had, at the same place, a brewhouse with an acre of land, which rented yearly for five shillings. Chart. Kelso. Those ancient establishments raised and maintained a more efficient population than modern system, as we may learn indeed from the *Tabular State* of Roxburghshire.

(*i*) For more recent information concerning the parish of *Makerstoun*, see the Stat. Acc., iii. 262.

The TABULAR STATE.

Parishes.	Extent in Acres.	Inhabitants.			Churches.							Stipends.						Patrons in 1810.	Valuati
		1755.	1801.	1881.	Est.	Free.	U.P.	Epis.	R.C.	E.U.	Bapt.	1755.			1798.				1886-8
												£	s.	d.	£	s.	d.		
1. Roxburgh, - -	7,924¾	784	949	1,012	1	—	—	—	—	—	—	74	8	10	136	2	4	The Duke of Roxburgh.	11,633
2. Kelso (Landward), } ,, (Burgh), - }	5,542	2,781	4,196	5,235	2	2	2	1	1	—	1	98	1	5	213	10	3	The Duke of Roxburgh.	8,943 / 22,240
3. Yetholm, - -	6,036	699	1,011	1,045	1	1	1	—	—	—	—	69	16	1	123	0	10	Wauchope of Niddry.	7,073
4. Morebattle, - -	22,518	789	785	1,003	1	1	1	—	—	—	—	95	1	8	149	11	3	The Duke of Roxburgh.	13,216
5. Sprouston, - -	8,731½	1,089	1,105	1,026	1	—	—	—	—	—	—	89	11	7	172	0	3	The Duke of Roxburgh.	12,378
6. Stitchel, - -	2,803¾	527	506	342	1	—	1	—	—	—	—	79	10	0	132	4	10	The King.	4,948
7. Linton, - -	6,428	413	403	543	1	—	—	—	—	—	—	84	8	4	136	6	4	Pringle of Clifton.	7,083
8. Makerstoun, -	2,913	165	248	381	1	1	1	—	—	—	—	61	11	1	94	9	8	The Duke of Roxburgh.	5,682
9. Ednam, - -	3,919¾	387	598	613	1	—	—	—	—	—	—	75	17	2	110	1	4	The King.	8,827
10. Jedburgh, - -	6,604	5,816	3,834	5,147	1	1	2	1	1	—	—	119	0	7	243	9	3	The King.	21,953
11. Ancrum, - -	10,389	1,066	1,222	1,360	1	1	—	—	—	—	—	105	11	5	166	6	0	Scott of Ancrum.	12,541
12. Hawick, - -	6,203¼	2,713	2,798	11,758	4	3	3	1	1	1	1	108	11	1	211	19	2	The Duke of Buccleuch.	4,807
13. Wilton, - -	8,820	936	1,307	5,782	1	—	—	—	—	—	—	72	7	4	181	11	0	The Duke of Buccleuch.	9,063
14. Hounam, - -	15,107¼	632	372	263	1	—	—	—	—	—	—	98	3	4	180	14	2	The Duke of Buccleuch.	6,983
15. Eckford, - -	10,097	1,083	973	912	1	—	—	—	—	—	—	80	8	10	147	11	5	The King.	10,536
16. Cavers, - -	18,352¾	993	1,382	1,318	1	1	—	—	—	—	—	88	16	7	132	9	8	Douglas of Cavers.	13,290
17. Oxnam, - -	21,193	760	688	683	1	—	—	—	—	—	—	86	10	0	187	7	5	The King and the Marquis of Lothian.	11,147
18. Kirkton - -	6,222¾	330	320	334	1	—	—	—	—	—	—	61	13	4	105	3	0	The King.	4,233
19. Southdean, - -	27,983	669	697	724	1	—	—	—	—	—	—	75	14	5	148	1	4	The King and Lord Douglas.	10,422
20. Hobkirk, - -	16,242	530	760	662	1	1	—	—	—	—	—	82	15	6	146	11	9	The King.	9,974
21. Minto, - - -	5,620½	395	477	433	1	—	—	—	—	—	—	51	8	10	133	6	0	Lord Minto.	5,399
22. Bedrule, - -	3,952	297	260	269	1	—	—	—	—	—	—	63	5	6	135	9	9	Hume of Nine-Wells	3,572
23. Crailing, - -	6,043	387	669	638	1	1	—	—	—	—	—	93	11	11	215	3	9	The King.	9,269
24. Bowden, - -	7,682¾	672	829	769	1	1	—	—	—	—	—	63	6	8	160	10	3	The Duke of Buccleuch.	7,346
25. Ashkirk, - -	8,417	428	348	500	1	1	—	—	—	—	—	116	2	2	196	11	11	Lord Minto.	4,570
26. St. Boswells, -	3,198⅓	309	497	959	1	1	1	—	—	—	—	66	17	8	106	11	4	The Duke of Buccleuch.	8,539
27. Lilliesleaf, - -	6,707½	521	673	718	1	—	1	—	—	—	—	80	7	1	140	3	11	The Duke of Roxburgh.	7,424
28. Melrose, - -	26,058¼	2,322	2,625	11,131	1	1	1	1	1	1	—	87	0	0	155	19	5	The Duke of Buccleuch.	36,854
29. Maxtou, - -	4,494¾	397	368	456	1	—	—	—	—	—	—	72	5	5	156	7	8	Don of Newton.	6,306
30. Roberton, - -	18,038¼	401	381	317	1	1	—	—	—	—	—		—			—		———	5,827
31. Smailholm, - -	4,202	551	446	446	1	—	—	—	—	—	—	68	7	10	144	4	0	Baillie of Jerviswood.	5,519
32. Castleton, - -	68,152½	1,507	1,781	2,256	2	1	1	—	—	1	—	72	7	2	155	5	0	The Duke of Buccleuch.	20,217
		Totals, - -			37	19	15	4	4	3	2								

CHAP. III.

Of Berwickshire.

§ 1. *Of its Name.*] THE appellation of this shire is obviously derived from the designation of the town of Berwick-upon-Tweed, the *Tued* of the Britons. From what circumstance this town, the site of so much contest, and the scene of so many treaties, had its name, "is not certainly made known," saith Speed (*a*). Leland and his followers derive its etymon, though perhaps without much analogy, from the *Aber-wick* of the British speech (*b*). Baxter is less happy than usual in finding some ingenious conjecture for the ancient name of Berwick-town. Camden is more felicitous though his intimations are not quite founded. At the epoch of Domes-day book *Berwica* signified a *village*, which was appurtenant to some manor or town (*c*); and as Tothill was called the *Berewicke* of Westminster, in the donation of Edward, the confessor, the town on the Tweed was called the Berwick of Coldingham (*d*). Such is the intimation of Camden! But he has not attempted to show that there ever existed any connection between Coldingham and Berwick, which are not so near to each other as Westminster and Tothill (*e*). Berwick is never mentioned by Bede,

(*a*) Prospects, 1646, bk. i., ch. 45.

(*b*) Comment. in Cyg, in vo. *Tuesis.* Gwig, a river which is said to fall into the Tweed where the ancient Britons had a town called Aberwick. MS. Celtic Remains, i., 516. There is, in fact, a place called *Aberwick*, in Northumberland, as we know from Wallis's Hist. Northumb., ii. 499. Yet the common name in Northumberland for the *issue* of water is *mouth*, as Tweed*mouth*, Till*mouth*, Warn*mouth*, Ale*mouth*, and others.

(*c*) Kelham's Domsday, 161. Ingulphus expounded the word *Berwicke* to signify, in his time, a manor.

(*d*) Holland's Camden, 816. In many ancient charters nothing was more common than grants of such and such towns "cum suis *Berwicis*"; and, in fact, we may see in the records and in the *Villaries* many places in England called *Berwike, Berwyck, Berwyke*; and hence, in contradistinction, the town above was named Berwick-upon-Tweed.

(*e*) Coldingham and Berwick are eight or nine miles distant from each other. It is more important to remark that when the Scottish Edgar, who demised in 1107, granted so many *mansiones* in that neighbourhood by his five genuine charters to the monks of Durham, he never mentions *Berwic*, which is noticed in his forged charters. This silence, both of the king aud monks, evinces that they had no property nor claims in Berwick.

who lived in that neighbourhood during the eighth century, though he notices Coldingham under the dissimilar form of *Coludi Urbs* (*f*). Neither was Berwick mentioned, as we have just seen, among the several *mansiones* which Edgar conferred on St. Cuthbert's monks of Durham, with their various rights. Nor is it mentioned in a charter of Robert, the bishop of St. Andrews, in 1127 (*g*). The name of Berwick first appears in the foundation charter of Selkirk of Earl David, under the form of *Berwyk* (*h*); and it is spoken of by that prince, after he came to the throne, in his grant to Dunfermline abbey, under the form of *Berwick*, when it was obviously the king's town in demesne, and of some importance (*i*); and we may learn from Somner and Lye, the Saxon glossarists, that *Berewic* is the same in substance as *Beretun* villa frumentaria, a grange, a village (*k*). Yet it is not very likely that Berwick was a *villa frumentaria*, or grange, during the age when it must have received its name from the Saxon settlers at the mouth of the Tweed. It was much more probably called, from the circumstance of its want of vesture, from the Anglo-Saxon *bar*, *bare*, *nudus*, and *wic*, vicus, castellum, sinus, the curving reach of a river (*l*). This, I believe, after considering all circumstances, is the real origin of Berwick; though it is now impossible to ascertain whether the *wic* was actually applied to the village or to the castle (*m*). On the whole, it is

(*f*) Berwick does not appear upon the map in Smith's Bede, App., 654. In vain, then, does Ridpath in his Border History speak of Berwick as being a town of the Bernicians; and also suppose this circumstance to furnish not the least probable of Camden's etymons. Neither do I see *Berwick* mentioned in the Saxon Chronicle, or exhibited in the map which is prefixed to Gibson's edition of that curious Chronicle.

(*g*) Smith's Bede, 760—64. Those intimations from record prove that this town could not have been the Bere-wic, Bar-ton, or grange of Coldingham Abbey.

(*h*) See that charter in Sir Ja. Dalrymple's Collections, 403. The Saxon form of this name is *Beorwic*, Berwici oppidum ad ripam Twedæ fluvii. Somner. He seems to intimate that it derived this name from its being a town of the Bernicians.

(*i*) Ib., 384.

(*k*) See Skinner in art. *Berwick*, a town or manor, as Ingulphus had explained it so many ages before him, as we have seen.

(*l*) Somner and Lye.

(*m*) Upon attentively inspecting Speed's map of Northumberland, 1610, with a view to this subject, I observe: (1) The name in question is always written *Barwick*; and there is a place called *Barwick* which is not situated on the river. (2) The affix *wick*, as in Aln-*wick*, Lo-*wick*, and others, is chiefly applied to *castles*, often to *villages*, but never to the reaches or *mouths* of rivers. (3) The Northumbrian Saxons always applied to *the issue* of waters the word *mouth*, as in Tweed-*mouth*, Til-*mouth*, and others, but never *wick*, and thus in the Lothian Borth-*wick*, the affix was obviously applied to the

more than probable that the *wick*, in the name in question, was originally applied, by the Northumbrian Saxons, to the *castle* on the *bare* knoll, which was built by some Northumbrian baron before the memorable epoch of 1020 A.D.

The whole area of Berwickshire was called *Bernicia*, in the age of Bede. It was named, in the Scoto-Irish Chronicle, *Saxonia*, and some time after the close of the Pictish period of the North-British annals, in 843 A.D., this district acquired, from the Saxon settlers, the Teutonic name of *Lothian*, which was appositely applied to an extensive jurisdiction on a dubious frontier (*n*). In after times it was probably called the *Mers*; but if it derived this name, as Camden intimates, from its being a *march country*, this appellation must have been applied after the year 1020, when this fine district was ceded to the Scottish king. But it was more probably called by this name, from the Anglo-Saxon *merse*, a marish, *mariscus*, a naked plain. It did not, however, obtain the name of *Berwickshire* till after the commencement of the Scoto-Saxon period, when the whole country between the Tweed and Lothian had been placed under the useful regimen of an appropriate sheriff.

§ II. *Of its Situation and Extent.*] The shire of Berwick is bounded by Roxburghshire and a part of Northumberland on the south and south-east; by the British sea on the east and north-east; by Haddingtonshire on the north and north-west; and by Edinburghshire and a part of Roxburghshire on the west and south-west (*o*). The extreme length of this shire, from east to west, is 31 [29¼] miles; its utmost breadth, from south to north, is nineteen [20⅞] miles, and its area contains 446 [464] square miles, or 285,440 [294,804¾] statute acres. Its population, in 1801, being 30,206 souls, evinces that there are 67 : 72

castle, and in the Ayrshire Prest-*wick*, the affix was adjoined to the priest's *vil*, as in other places of the same name in Northumberland. In such cases good sense must always decide whether the *affix* were applied to the *hamlet* or the *castle*.

(*n*) Caledonia, i., 258-9. Polydore Virgil, who lived under Henry VIII., and visited Scotland, says in his history, that *Lothian* began at the Tweed, as indeed Simeon and Hoveden had said before him, and stretched considerably beyond Edinburgh. In the subsequent age of Camden, however, Lothian was supposed to lie northward of the *Merse*. The *Lammer-muir* became early a noted boundary, as we may learn from the ancient charters of Alexander and David I.

(*o*) Berwick town lies in N. latitude 55° 46′ 40″, and W. longitude from Greenwich, 2° 3′. Berwickshire, exclusive of *Berwick bounds*, the district of the town lies between 55° 34′ 50″, and 55° 57′ of N. latitude, and between 2° 5′ and 2° 57′ 12″ W. longitude from Greenwich. Arrowsmith's map. Greenlaw, the shire town, lies in 55° 43′ 35″ N. lat., and 2° 28′ 10″ long. W. of Greenwich.

persons to every square mile. Berwickshire, in the tradition of its people, is usually divided into three great districts; the *Merse, Lammermuir,* and *Lauderdale.* The relative size of each will most distinctly appear in the subjoined *Table* (*p*). This shire has been often surveyed. During the reign of Charles I., it was first, perhaps, inspected by Timothy Pont, with a scientific eye and a geographical purpose (*q*). The people of Berwickshire were content with his Surveys till our own times, when it was again surveyed by the Armstrongs (*r*). Blackadder again delineated this agricultural shire, five and twenty years afterward (*s*). The modern surveys may probably be more scientific; but they become less useful to topography, in proportion as they substitute new notices for old localities.

§ III. *Of its natural Objects.*] Whatever may be the *heights* of this county, it cannot be regarded as so mountainous as Roxburghshire, whether we consider the numbers or the elevations of the Berwickshire hills. Of all those, the Lammermuir is the most remarkable range, forming an extensive curvature of unsightly heights and stretching from the western marches of Mid-Lothian to their termination on the sea, where the Lammermuir abruptly declines into the precipitous promontories of St. Abbs-head, Earnheugh, and Fast Castle, which form some of the highest and most curious cliffs on the eastern coast of North-Britain (*t*). However denuded of trees at present, the Lammermuir was once

	Square Miles.	Stat. Acres.
(*p*) The *Merse* comprehends - - - - - - - -	202½	129,600
Lammermuir, - - - - - - - - - -	138½	88,640
Lauderdale, - - - - - - - - - -	105	67,200
The whole area of *Berwickshire* - - - - - - -	446	285,440

(*q*) See Pont's map of Lauder, No. 7, and his map of the *Merse,* No. 8, in Blaeu's *Atlas Scotiæ.*

(*r*) Armstrong and Son published in 1771, a four sheet map of Berwickshire and a reduced map of one sheet.

(*s*) Blackadder published his two sheet map of Berwickshire in 1797. There have been since laid before the public very useful sketches of this shire in the frequent reports which have been recently made of its agricultural state.

(*t*) The ridge of the Lammermuir-hills consists, say the theorists, of primary micaceous schistus, and extends from St. Abbs head westward, till it joins the metalliferous mountains about the sources of the Clyde. See the Transact. of the Edin. R. S., v. last part, p. 71. The singular name

clothed with woods, as we may learn from the fact that trees are often dug up from places in that range of the least woody appearance. The Lammermuir has some natural woods, which hang upon its several steeps; and which supply local ornament, if they contribute little to general use. The heights of Lammermuir rise to 1,615 [1,683] feet above the level of the sea. The tops of its hills and its higher slopes are covered with heath; but its lower declivities admit of the operations of the plough. In this shire there are other hills which run up to considerable elevations, though they do not assume the dignity of mountains (*u*). In the middle of this district rises Duns-law, from a base of between two and three miles circumference, in a gradual ascent on all sides, to the height of 630 [700] feet above the level of the sea, and terminates in a flat summit of almost thirty acres. The *Merse*, when it is viewed from the heights above, seems to be a perfect plain, though it be full of inequalities and swells at Hirsel, Lamberton, and Duns, into considerable hillocks (*x*).

This shire is supposed to be destitute of minerals and fossils (*a*). It indeed cannot be said to be rich in minerals; yet, has it some coals, in Mordington parish near the sea, and more northerly in Cockburnspath, it has also

of that range appears in Alexander I.'s charter to Dunfermline, in the form of *Lambremor*, and in that of David I. to the same monks, under the form of *Lambermore*. Sir James Dalrymple's Col., 372, 385. From the formation of this word, we may infer, that it is not Celtic, and it is, therefore Teutonic. It is the same in substance as Lamber-hurst in Kent and Lamber-hurst in Sussex; and it is derived from the same root as Lamer in Hartford and Lamer-ton in Devon. The root is plainly the A.-S. *Lam* of Somner and Lye, signifying *lutum, limus,* Loam, *Lamene,* luteus; so, Lam-hythe is luteus portus, which is written Lamb-hythe. *Moor,* saith Bailey, is a heath or barren ground, and *hurst,* in the names of places, imports that they took their designations from woods or forests.

(*u*) The following altitudes were ascertained by the ingenious Blackadder, when he surveyed Berwickshire:—

[Seenes Law rises to	1,683 feet.]	Earlston Hill rises to	1,200 feet.
Criblaw	1,615 [1670]	Bemerside Hill	1,011
Clinthill	1,544	Home Castle	898
Twinlaw Hill	1,260	Handiesland Hill	684
Ayrhouse Hill	1,054	Stitchil-kirk	680
Manslaughter Law	1,273	Habchester	660
Great Dirrington Law	1,145	Lumisden Hill rises from the level of the sea to	633
Cockburn Law	912		
Tippet Knows	1,323		

(*x*) Home's Agricult. Report, 11—13; Blackadder's map.

(*a*) Home's Agricult. Report.

coals (*b*). In other places of this shire there are the usual appearances of fossil coal. Yet, have the feeble attempts to find them every where failed from want of skill or effort (*c*). Lime-stone has been found, as usual, in the vicinity of the coal along the coast of Mordington parish (*d*). The quantity is more abundant than the quality is good; so that it is not often raised for common use. Marl of every sort much more abounds in every district of Berwickshire. The clay and rock marl are found in the more cultivated districts along the rivers Whiteadder, Blackadder, and Tweed, where their strata spread over a large country (*e*). Shell-marl has also been found at Hirsel in Coldstream parish, at Birgham in Eccles, at Newton Don in Nenthorn, at Whiterig in Mertoun parish, at Kimmerghame; and there are indications of shell marl in Billy-myre, an extensive morass in Coldingham parish (*f*). Thus rich, then, is Berwickshire in marl, which once contributed to fertilize its fields. In Chirnside, on the banks of the Whiteadder, has been found a species of *gypsum*, though not the best kind. It has been used, however, for the ceiling of rooms, and is little inferior to the *gypsum* of Paris (*g*). Freestone of various kinds and colours abounds in every part of this shire; and it is wrought to the profit of the proprietors and the benefit of the country (*h*). Whinstone also abounds in every part of this shire, for the uses of the builders (*i*). *Slate*, which is supposed not to be seen in Berwickshire, is worked at Lauder (*k*). In Ayton parish, there

(*b*) In this last parish coal was regularly wrought at the end of the seventeenth century, but was relinquished from some unknown cause. Stat. Acco., 13, 226. The coal in Mordington was also wrought, but the works were in the same manner discontinued by impatience and irresolution. See the site of the coal pit in Armstrong's Map of Berwickshire.

(*c*) Stat. Acco. of Coldstream, iv., 412; of Legerwood, xvi., 495.

(*d*) Ib., xv., 182.

(*e*) Agricult. View, 35, 122; Home's Report, 14; Stat. Acco., throughout. Marl with clay and rock abound in the parishes of Chirnside, of Bunkle and Preston, of Langton, of Coldstream, of Nenthorn.

(*f*) Stat. Acco., iv., 413; vi., 324; Home's Report, 14, 19; Low's Agricult. View, 37; Bruce's Agricult. View, 123; Home's Report, 94. The discovery of Shell marl in Whiterigbog, which is the most abundant, has been deemed a great agricultural event. It is about 100 acres in extent, and the strata are from 7 to 10 feet thick, under a deep covering of moss. This rich field of marl was of old the lake of Mertoun, which was granted for its fish in the 13th century, but had recently been drained by cutting a channel into the Tweed. Chart. Dryburgh, No. 104.

(*g*) Stat. Acco., xiv., 46.

(*h*) Ib., i., 86; xv., 182; iii., 154. The best quarry is that at Swinton quarter. Ib., iv., 197, 412; vi., 324. Of freestone there are inexhaustible quarries along the Tweed in Mertoun parish. Ib., xiv., 591-2, and in Nenthorn parish, upon the Eden, there is red freestone. Ib., vi., 337.

(*i*) See the Stat. Acco. throughout. (*k*) Ib., i., 73.

are some quarries of building stone, which is said to be impregnated with *iron ore* (*l*). In Mordington parish also appears *iron ore* (*m*). Pebbles, for the lapidary's use, which seem to be of a good quality, are commonly found along the margin of the Tweed as well as in the adjoining fields of Coldstream parish (*n*). At Hardwell, on the bank of the Whiteadder in Bunkle parish, a copper mine was worked till impatience relinquished its own object in 1780 (*o*). Copper mines have also been discovered in Lauder parish (*p*). Fuller is diligent to show that all those natural objects may be found within *Berwick-bounds*, with the addition of pure quicksilver, which has been discovered in Hidehill (*q*). In Home parish, there is a rising protuberance which is called *Lurgie Craigs*, and consists of regular ranges of whin-stones like those of Arthur's Seat near Edinburgh (*r*). Neither do mineral waters abound in Berwickshire. The Duns-spa, which was discovered in 1747, as it resembles the Tunbridge waters, has been found to give similar relief (*s*). On the estate of Mains in Chirnside parish, there is a chalybeate spring, which issues from a bed of marl, and is resorted to for scorbutic complaints (*t*). Near the ruined nunnery of St. Bothan's there issues a spring which is called St. Bothan's well, and which neither fogs nor freezes, and even prevents the freezing of a mill-head, from the Whiteadder, though this stream freezes every winter (*u*).

The next objects of rational curiosity are the waters of Berwickshire. The Tweed, which we have traced through the country of Roxburgh, and is at once its ornament and its convenience, first enters this shire at the point where the Leader and the Tweed mingle their kindred floods. The Tweed now winds along the parish of Mertoun which it separates from Roxburghshire; and continuing its easy course through a corner of Roxburgh, again bounds Berwick below the confluence of Eden; and, as it "gently glides" to the sea at Berwick, divides Northumberland and Durham from Berwickshire (*x*).

(*l*) See the Stat. Acco., i., 86.

(*m*) Ib., xv., 182. (*n*) Ib., iv., 412. (*o*) Home's Agricult. Report, 14.

(*p*) Stat. Acco., i., 73. (*q*) Hist. of Berwick-upon-Tweed, 472.

(*r*) Lurgie Craigs, which resemble the stones on the path from Edinburgh to Duddingston, are regular *polygons* of the height of five or six feet, and five or six inches broad, and stand erect and close, but do not adhere to each other, so that they can be easily separated. They have all the appearance of being of the same nature with those of the Giant's Causeway, or the basaltic rocks of Staffa. Stat. Acco., iii., 292.

(*s*) See Dr. Home's Essay on the Contents and Virtues of the Duns Spa. Edin., 1751.

(*t*) Stat. Acco., xiv., 46. (*u*) Ib., xii., 65.

(*x*) The tide flows ten miles to Norham-castle, and vessels of forty or fifty tons navigate the Tweed to New Waterford, which is six miles above Berwick. Stat. Acco., iv., 197.

Such is the "fair flood" which the chorographical Drayton remembered as "our northern borders boast." This river, which retrospection might adorn with many antiquities and actions, continues to be the well known boundary of England and Scotland, notwithstanding the poetical prophecy of Drummond in his *Forth-feasting*, that "Tweed no more our kingdoms shall divide." Throughout its course the Tweed glides along the lowest level of the vale, which lies between the Cheviot range on the south and Lammermuir on the north; and it thus naturally forms the common receptacle of the various riverets which come down on either side from those extensive heights, the prolific parents of so many streams. The Leader rises in Lammermuir, fertilizes Lauderdale, drives many mills, and gives her waters to the Tweed on the borders of Berwickshire. The *Leader-haughs*, which in elder times pastured many a mare are celebrated in Scottish song. The Whiteadder rises in the same range; runs through the heart of Berwickshire; and as it runs drives many mills till it joins the Tweed in the vicinity of Berwick, after receiving in its circuitous course the Dye and the Blackadder. The Eden and the Leet also contribute to swell the Tweed with their congenial waters; and like it supply their benefits and their ornaments to this plenteous district. The Eye also issues from the Lammermuir, and being joined by its associate Ale or Alan, winds through the north-eastern parts of Berwickshire till it finds repose, not in the Tweed, but in the sea at Eye-mouth, where it forms the most central port of Berwickshire. These riverets, with eighteen streams of less flow, are the constant drains of its superfluous moisture, and the usual sources of its abundant fishery. The rivers, as their names are all significant in the Cambro-British speech, may be considered as so many notices of its antiquities. The natural position of the surface of this shire being a considerable declivity to the south, from the summit of the Lammermuir to the strath of the Tweed, does not admit of any lakes or large diffusion of standing waters. But perhaps the natural objects of greatest curiosity in this district is the sea coast, which affords a transverse section of this alpine tract as its eastern extremity, and exhibits the change from the primary to the secondary strata, both on the south and on the north. At Siccar, on this coast, the primeval rock forms alternately the base and the summit of the present land. It is here a micaceous schistus, in beds nearly vertical, highly indurated, and stretching from south east to north west. The surface of this rock runs with a moderate ascent from the level of low water nearly to that of high water, where the schistus has a thin covering of red horizontal sand stone laid over it; and this sand stone at the distance of a few yards further back rises into a very high perpendicular cliff. Here, then, the immediate contact of

the two rocks is not only visible but is curiously dissected and laid open by the action of the waves (*y*). Philosophers have been delighted with those appearances on the coast of Berwickshire, that set in so clear a light the different formations of the parts which compose the exterior crust of the earth, where all the circumstances were combined that could render the observation precise and satisfactory.

§ IV. *Of its Antiquities.*] Under this head the people and their speech are certainly the earliest and most curious objects of our archaeological inquiry. Berwickshire, which we have just seen, does not abound with natural subjects, was first peopled by the same Gaelic tribes who originally settled the more southern regions of Britain ; as the names of the waters would evince if there were not the demonstrations of facts (*z*).

At the epoch of the Roman invasion of North Britain in 80 A.D. the great tribe of the Ottadini occupied, as we have formerly perceived, the extensive coast which stretches from the Tyne along the Forth to the Avon (*a*) ; and of course this people inhabited the whole tract, which, in much more modern times forms the respectable shire of Berwick. Specimens of their language may still be seen in the names of places upon the maps of this well surveyed county (*a*). Their hill-forts, their subterraneous shelters or caves, their weapons of war, their ornaments, their modes of burial, have been all already investigated (*c*). The Ottadini were not subdued till the return of Agricola from his campaign, beyond the Friths in 84 A.D. Their country was at length penetrated by roads, bridled by castles, and improved by the Roman examples

(*y*) Philos. Trans., Edin. V., last part, 71—2.

(*z*) Caledonia, Book i., ch. i. In addition to the names of the waters, there are still appellations of places, which instructively supply significant traces of the first colonists. (1) Trebrown in Lauderdale, the British *Tre-brun*, the hamlet on the hill ; in fact, the place is on a hill. (2) Carfrae-burn in Lauderdale, from the British Caer-fra or frau, signifying the fort on the stream. (3) *Eccles*, the name of a parish, from the British *Eglwys*, the Gaelic Eaglais, a church. (4) *Press*, from the British Pres, Prys, Brushwood, a covert ; the Gaelic *Preas* signifies the same thing. (5) *Ercildoun*, from the British *Arsyl-dun*, the look-out hill or the look-out fort. (6) Kelloe, from the British Kelli or Celli, a grove or thicket of trees. (7) Gordon, perhaps, from the British *Gor-din*, the fortified hill, with a rim or border ; now both East and West Gordon stand on hills of small elevation. (8) *Paes*, the rivulet, from the British *Pis*, a spout. (9) The British *Pil* signifying a fort, was applied to several of the old fortlets, and hence has it been embodied into the names of various places.

(*a*) Caledonia, i., 58-9. (*b*) Ib., ch. i., 2. (*c*) Ib., ch. ii.

of labour and skill (*d*). Yet whatever roads the Romans may have made in Berwickshire, whatever station they erected, whatever specimens of art they left behind them, the Ottadini remained, at the epoch of the Roman abdication, without any intimate knowledge of the Roman labours, and without the useful polish of the Roman civilization.

The abdication of the Romans, however, left the Ottadini in possession of their ancient territories. The Scottish historians have failed egregiously in their attempts to make out, for the Picts, any plausible title to this southern district, and much less for the Scots, who then resided in Ireland (*a*). The Ottadini were soon called upon to defend their possessions against a very different people. The year 449 A.D. is the remarkable era of the entrance of the Saxon tribes into the British Isle. The Ottadini were ravaged rather than subdued. Their fate remained undecided, during a century, that the Anglo-Saxon invaders were carrying the banners of conquest throughout Southern Britain.

The year 547 A.D. is at once the memorable epoch of the arrival of the great Ida, of the foundation of the Northumbrian kingdom, and of the fall of the Ottadinian people from their ancient independence. The Anglo-Saxons became now the ruling powers on either side of the Tweed, and, with the ascendency

(*d*) For the Roman roads and castles in the lower district of Berwickshire, see Caledonia, i., 144, 163. For the Roman road, the Roman stations, and the opposing hill-forts on the Leader water, see Caledonia, i., 141-2. Patrick who became Earl of Dunbar in 1232, and died in 1249, renounced to the monks of Melrose, "quicquam juris habendam vel habere poteram ratione illius *Malcolmis "rode*, vel alio jure versus occidentem ultra dictas calceyas quod est *publicum stratum*. Et illud "*publicum stratum* de cetero habeatur pro rectis divisis inter me et ipsis." Chart. Melrose, No. 141, and this release was confirmed by Alexander II. Ib., No. 142. The position of this *causey* or *public street*, corresponds exactly with the track of the Roman road in lower Lauderdale, which was thus established as a boundary between the Earl of Dunbar's territory of Ercildoun, that extended over the Leader, and the lands of Cadisley, [Kedslie], which belonged to the monks of Melrose. This is a very curious notice. We thus see, that the Roman road through Lauderdale, which escaped the research of Roy, was the *public street* during the reign of Alexander II., by the name of *Malcolmis rode*, which is a specimen of the English language in that age. From what circumstances the Roman road was called *Malcolmis rode* cannot now be ascertained. Malcolm IV. lived, generally, and died early at Jedburgh. Kennet's Par. Antiq., 119—121. He may have much used this way in travelling to Edinburgh, to Stirling, and to Perth; and he was fondly remembered during the reign of his nephew, Alexander II. It is not easy to recollect any circumstance, which could have induced the people to attribute this road to Malcolm III. or to Malcolm II.

(*a*) See Caledonia, i., bk. ii., ch. i., ; and Robertson's Hist. Scotland, i., 3, which says mistakingly, that "North-Britain was by the retreat of the Romans, left under the dominion of the Scots and Picts."

of the Anglo-Saxon tribes, the Anglo-Saxon authorities were established throughout this ample district, from the river Tweed on the south, to the stream of Dunglas on the north. But the battle of Drumnechtan, in 685 A.D., gave an irremediable shock to the Northumbrian jurisdiction. The defeat of the imprudent Egfrid ; the pressure of the Picts on the north ; and the intrusion of the Saxon kings from the south ; left the Northumbrian monarchy too weak to regain its recent jurisdiction. Yet to this period is referred the origin of the name, and the introduction of the authority of *Lothian*, within this district which lies along the shore, from the Tweed to the Avon. The silence of Bede, however, may lead us to suspect, notwithstanding the loquacity of Nennius, that neither the name of *Lothian*, nor the thing, was known, at the conclusion of the Pictish period, in 843 A.D. (*b*).

In the meantime, the Anglo-Saxon language was, with the colonizing people, superinduced in this district upon the ancient British. It became the vernacular language of that extensive country during the religious age of the worthy Cuthbert, who died in March 687 A.D., and of the venerable Bede, who deceased in 735. The Saxon speech still appears, in the many names of places, within the ample bounds of Berwickshire (*c*). There are, in this district, only

(*b*) See Caledonia, bk. ii., ch. 3 ; Nennius Edit., 1758, ch. 62 ; Smith's Bede, throughout.

(*c*) Many local names are plainly derived from the Saxon words, *Cleugh, Law, Rig, Shiel, Don*, Lee ; and from the less frequent appellations of *Thyrn*, Shaw, Ham, By. There do not appear, however, in Berwickshire, any Saxon names of places which are derived from *Holm, Threap, Thwait*, nor from the Scandinavian Fell, a mountain. The many *Chesters* within the limits of Lothian and other Saxon districts of the south, is obviously the *Ceaster, Cæster*, of the Saxon settlers, who applied this name to the places which had been *Caers* or fortlets of the Britons. See the "Nominum Locorum explicatio" of Gibson, anuexed to the Saxon Chronicle, in vo. *Ceaster*. But there are not in this shire any *Bor-lands*, or any appellations which would show the ancient division of lands, from the penny, halfpenny, farthing, or mark land. English names are properly excluded from this subject, as they are modern ; but it may gratify a reasonable curiosity to see specimens of the Anglo-Saxon as it was written from 900 A.D. to 1066, and the English version as it was translated by Wycliffe in the year 1380, when the English began to be a formed language :—

The *Saxon.*	The *English.*
On Herodes dagum Judea cynineges waes sum sacerd on naman Zacharias ; of Abian tune, and his vif waes of Aarones dohtrum : and hyre nama waes Elizabeth.	In the dayes of Eronde, kyng of Judee, there was a prest, Zacharye by name : Of the sort of Abia ; and his wyf was of the doughters of Aaron : And her name was Elizabeth.

This curious subject may be further illustrated by adverting to the connexive orthography of the Anglo-Saxon and the Anglo-Scottish. One of the witnesses to the Scottish Edgar's charter,

a few names of places, which are obviously derived from the Scoto-Irish (*d*), and which must necessarily have been imposed after the year 1120, when this part of Lothian was surrendered by the Earl of Northumberland to the Scottish king. Yet this circumstance alone evinces the predominance in Scotland of the Scoto-Irish language at that important epoch. It is indeed almost impossible to resist the evidence of this topographical inquiry for shewing the genuine history of its colonization by those successive generations, whatever Gothic glossarists may say.

To the speech of the people, the next objects of archaeological research are the *stone monuments*, which, indeed, do not in this shire abound. The ruins of castles and the remains of religious houses, which so frequently engage the pencil of the draughtsman, can only be considered every where as *modern* antiquities. There have not yet been discovered any druid monuments in Berwickshire, and, indeed, there are scarcely any druid remains to be met with in Lothian. This singular circumstance is owing, perhaps, to the early settlement of the Anglo-Saxons in this district, or probably may have arisen from the zeal of the first christians in Lothian, who may have been actuated by the ardent heat of new converts. There are, indeed, in this district a few cairns of stones, which denote the sepultures of the dead, and, in a secondary sense, the conflicts of the living (*e*). In the moun-

granting the manor of Swinton to the monks of St. Cuthbert, was *Hwite*. Smith's Bede, App. xx. When this charter was confirmed by Robert III. in 1392, the Chancery Clerk wrote the same person's name *Qhwite* for the Saxon of *Hwite* of Edgar's charter. Robertson's Index, 155. This, then, is one of the many proofs which may be adduced in support of the true origin and the corrupted use of the *quh*, in the orthography of the old English and old Scottish, as they were explained in the Prefatory Dissertations and the Glossary to the Poetical Works of Sir David Lindsay.

(*d*) The most obvious Scoto-Irish names are, Achincraw, Ald-Camus, Bunkle, (Bonkil), Duns, Glengelt, Glen-tinn, Kil-inch, Knock, Rait, Blanern, Lough-Loch, Lorgy-Lough, Lurgie-Craigs.

(*e*) On a hill forming the west side of Cranshaws parish, there are two heaps of stones, which are each of a great size, each containing, according to a loose estimate, many thousand cart loads. In Chirnside parish, on the highest summit of the hill, there is the vestige of a cairn, whence the name of this district is supposed to be derived. On Idington-hill there are still more apparent remains of two cairns; the stones of one of them was but lately carried away; and on their first demolition, about fifty years ago, a stone coffin of an oblong square figure, was taken up entire. In Langton parish, on clearing the ground during the year 1792 of a heap of stones on the top of Cramestone hill, on the north side of the village of Gairnton, several earthen urns were discovered containing human bones, but without any inscription. On the lands of Middlefield and

tainous division of Lammermuir those cairns are chiefly discernible, being the site as well of ancient cemeteries as of the earliest battles. Add to those, *Burgess' Cairn*, which stands on the remarkable angle of a height, where the three shires of Roxburgh, Berwick, and Mid-Lothian join their kindred limits, on the westward of Lauder (*f*). There is a *cairn* to the memory of St. David near the northern extremity of Coldingham parish (*g*). In this class may be ranked the ancient obelisk, standing at the village of *Dead*-rig, in the parish of Eccles. It consists of one stone column, which is inserted into a base, the whole height being about 14 feet ten inches, with various sculptures of the cross, the sword, the hound, which denote the monument of some ancient warrior. But as neither inscription nor tradition declares the cause of its erection, it is impossible to ascertain what worthy wight it was to whom this obelisk was erected at *Dead*-rig (*h*).

Next to those stone monuments are the oval and circular encampments which have been already mentioned, as the early fortlets of a British people before the Saxons had arrived on our shores, or the Danes were even known on the coasts of the Baltic (*i*). To the British *rings* succeeded the Roman

Crease there have been found several coffins of stone, measuring 3½ feet long and 3½ feet deep, and containing human bones. A neighbouring field retains the appropriate name of *Battlemoor*. In the parish of Longformacus there is at Byrecleugh, a heap of stones 80 yards long, 25 broad, and six yards high. On *Warlaw* bank, which is part of a ridge stretching from east to west, through the parishes of Coldingham and Bonkle, there was a cairn which was surrounded by a circle of stones forty feet in diameter, and which when opened, discovered about three feet below the surface, a stone of a red colour, six feet long, and two and a half feet broad, and under this stone was found a coffin that was also of blue stone, which contained merely a black earth of an oily substance, and as soft as soap. [Scots Mag., 1759, 461.] On Laudermoor, near the old road to Melrose, there are many tumuli, the lasting memorials of some conflicts in very early times ; as fragments of swords, of bows and arrows are found there ; the arrows were pointed with flint stones, tapering from the juncture, about an inch long. For all those Celtic remains see the Statistical Accounts throughout and Pennant's Tours.

(*f*) See Blackadder's map of Berwickshire. (*g*) Id.

(*h*) Transact. Society Ant. Scot., i., 269, where may be seen an engraving with a Dissertation by Mr. R. Robertson of Ladykirk.

(*i*) Scots Mag., 1759, 462. Along the ridge running from east to west through Coldingham and Bonkle, are the vestiges of five circular camps. In the parish of Duns there are on Cockburnlaw, several military stations of similar conformations. On Habchester in Mordington parish, there is an encampment which is surrounded by two deep trenches, and which, from their circular construction, are said by inconsiderate ignorance, to be unquestionably *Danish*. At the village of Chesters in Fogo parish, there is an ancient encampment which is equally said to be Roman, though its form intimates a much earlier fabrication than the Roman period. There are many places in Berwickshire which were denominated *Chester*, from the *Ceaster* of the Saxons, who applied generally their term to the fortlets of the Britons, that were already denominated *Caer*.

right angular entrenchments. But the Roman labours do not abound in Berwickshire, if we except their remains in Lauderdale.

There is a very remarkable remain of a mixed kind, and of a more recent origin, lying about a mile from the shire-town of Greenlaw, which is known by the name of *Herrit's Dyke*; and which must be referred to the labours of the Romanized Ottadini. It consists of an earthen mound with a ditch on one side of it, neither of which can now be precisely traced (*k*). There is a remain of a somewhat different kind, which is situated within two miles of Wedderlea; and which the tradition of the country calls the *Caims*. It consists of an immense ridge of sand between two extensive mosses. Its breadth is from 20 to 100 feet; its height from 14 to 40 feet; and it runs out the length of three quarters of a mile. There is no such sand as this within many miles of this remain, which seems to a willing eye to be the production of art rather than the work of nature (*l*).

Of the same anomalous class as the former is *Edins-hall*, which stands about a mile below the abbey of St. Bothan's on the bank of the Whiteadder. This hall of Edwin very much resembles *Arthur's Oon*, both in its form and construction. It is built of stones, without any kind of cement, though they seem to have been morticed into one another. The form of it is three concentric circles, which are six or seven feet distant from each other; and the diameter of the innermost is about twenty feet. In the heart of the walls there are several square holes, which seem to go perpendicular to the foundation. It has two entries, one on the south, and the other at no great distance on the south-west. On the south of this building there are very deep and wide trenches; and on the head of the outermost trench there are the vestiges of a stone wall, which runs fifty or sixty yards to the west, and then turning northward as it

(*k*) About the middle of the eighteenth century *Herrit's Dyke* could have been traced fourteen miles eastward, and tradition relates that it proceeded in the same direction as far as Berwick. It is supposed to have extended westward to a place in the parish of Legerwood, which is called *Boon*, a *Celtic* word signifying a termination, or rather the *foot* of a hill, or water. Stat. Acco. xiv. 512. See a fuller account of *Herrit's Dyke* in Caledonia, i. 243.

(*l*) The Rev. Dr. Hewat's Letter to me dated 18th October, 1791. See Dogden moss, upon Armstrong's map of Berwick, wherein this singular ridge is strikingly represented. The name of *Kaims*, or *Caims*, implies that it is a *ridge*, which this appellation signifies. Yet Mr. Spottiswoode, of Spottiswood, in that neighbourhood, has informed me, that being employed as a trustee in executing a turnpike-road law, he had ordered the *Kaims* to be bored in search of gravel or other materials for the new road, but found none; and he was convinced, from what he saw, that this singular ridge is the work of nature, and not of art.

follows the sweep of the hill till it reaches the river (*m*). On the east of Edin's Hall, there are the vestiges of several camps, which, as they are not said to be rectilinear, we may easily suppose, are circular camps of the Britons, which no doubt existed before and without any connection with *Wooden-hall.*

Soon after the introduction of christianity into this shire, religious houses were erected within it, by the accustomed zeal of the new converts. The *Coludi urbs* of Bede, the Colingham of Hoveden, was founded for the reception of female and male votaries, under the holy government of St. Ebb, the daughter and sister of kings. This monastery, though it had St. Cuthbert for its guide, was not fortunate. It was burnt in 679 A.D., as an infliction for its infirmities, rather than the casualty of fire, from its construction of wood. It was again burnt in 870, by the Danish Vikingr, from the hope of plunder, rather than the gratification of enmity. St. Bothans was also established during those ages on the same principles of piety, yet encountered the same misfortunes (*n*).

The ruined castles form another class of antiquities, which may be considered as still more modern. They were all mostly built after the year 1097 A.D., the remarkable epoch of the Scoto-Saxon period. The castle of Berwick was the residence of David I.; it was strengthened by Edward I.; it was repaired by Robert I.; and it was ruined by the neglect of Elizabeth (*o*). At the end of the twelfth century, the site of *Home* castle became the seat of the family of Home. This pile increased in strength with the gradual augmentation of the wealth of that warlike race. As Home castle could not resist artillery it became ruinous from inattention (*p*). Billy castle, which had furnished shelter to quiet negotiators, shared the same fate when it could no longer resist modern hostility. The tower of Cockburnspath was probably built by the earls of Dunbar to guard the pass which led to their principal castle; and it no doubt followed the ruinous fortunes of that unfaithful family (*q*). Fast castle, which was perched on a rocky cliff overhanging the sea, shared the same fate (*r*). In this ruinous condition is the castle

(*m*) See the position of Edins Hall on Blackadder's map of Berwickshire, where it is called *Wooden*-hall as it is indeed named in other maps. This name, in popular tradition, seems to intimate that this singular building may have been dedicated by the Pagan Saxons to their national god. There is a minute description of this remain in the Scots Mag. 1764, 431.

(*n*) Smith's Bede, 162; Holland's Camden, *Scotia*, 10, 11.

(*o*) There is a drawing of this ruin in Grose's Antiquities, i. 108, as it appeared in 1789; and there is another view of it in Cardonnel's Picturesque Antiquities, part ii.

(*p*) There is a drawing of this lofty castle in Grose's Antiquities, facing p. 98.

(*q*) There is a drawing of it in Grose's Antiq. 93-4.

(*r*) Its remains may be seen in Cardounel's Picturesq. Antiq. part. ii.

of Lauder, which Edward I. had built, and the Duke of Lauderdale inhabited (*s*). In an extensive district, forming a litigated frontier, there necessarily once existed many towers which could resist domestic conflicts, but not foreign inroads with modern weapons of war (*t*). Many of the *Bastile* houses owe their demolition to the absurd courtship, by Henry VIII. and Edward VI., of Mary Stewart, the infant queen. Many of the castles were ruined by the policy of King James, when the hostile borders happily became the heart of the United Kingdom.

§ v. *Of its Establishment as a Shire.*] The epoch of this sheriffwick must be referred to some era after the conclusion of the Scottish period, in 1097 (*a*). This district was certainly a sheriffdom during the reign of David I. (*b*). There is a precept of William the Lion, to the sheriff of Berwick, commanding him not to make unusual exactions on the monks or men of Coldingham-shire (*c*).

(*s*) Lauder castle makes the last plate in the second edition of Slezer's *Theatrum Scotiæ*. There is also Thirlstane castle on the east side of Lauderdale, which is different from Lauder fort, which stands on the west side of the same dale, and which has also been sometimes called, mistakingly, Thirlstane castle.

(*t*) Of Ayton-castle there are now scarcely any vestiges. At Eyemouth was once a fortlet on a promontory. There was a tower at Renton; there was one at Houndwood; there was one at East Preston; but they were all demolished for their materials during the enterprizing improvements of the eighteenth century. In Chirnside there was a baronial castle at Idington, and there was also a castellated tower near the church. Of *Bastile* houses, there was one in Chirnside, one at Kelloe, one at Foulden, and one in Ayton. Rymers-tower will be remembered as the residence of the earliest poet of Scotland, after its foundations shall disappear before time and chance. Cranshaw castle is still entire. The remains of Huntly castle, in Gordon parish, may be still traced in their ruins. There are three ruinous towers in Legerwood, at Crosbie, Westmorayston, and at Whitslade. Edrinton castle still frowns in ruins on Whiteadder river. The castle of Colding-knows will be long remembered in the popular lyrics of North-Britain. There were castles at Greenlaw, at Blanern, at Cockburn, at Nisbet, at Blackadder, at Wedderburn, at Langton, at Bunkle, at Mellerstone. But time has martyred many a tower to the long-enduring enmity of two spirited nations.

(*a*) There is nothing of sheriffs or sheriffwicks in the charters of Edgar. There is not any charter of Alexander I., his successor, that have come down to us which mentions or alludes to sheriffs or sheriffwicks, though the Saxon term *scire*, for an ecclesiastical division, may be traced in some grants. One of the witnesses to Earl David's charter to the monks of Selkirk was Gospatrick, *vicecomes*, who was probably sheriff of Berwick, while Alexander I. yet reigned in Scotland. Chart. Kelso, No. 4. Gospatrick, *vicecomes*, is a witness to a charter of David in 1126. Robert. Index, 155.

(*b*) See David's writ to the sheriff of Berwick, to inquire of whom Wester Lumsden is held. Archives of Durham; Nicholson's Hist. Lib. 364.

(*c*) Chart. Coldingham; Nicholson's Hist. Lib. 364.

Various eminent men succeeded to this great charge during the subsequent reigns of Alexander II. and of Alexander III. (*d*). Soon after the sad demise of this lamented king, Edward I. assumed the rule of Berwickshire (*e*). When Edward I. attempted in 1305, by his well known ordinance, to settle the government of Scotland, he directed that the chamberlain of Berwick might appoint any one for sheriff whom he would answer for (*f*). While the shire of Berwick was fought for during the long wars of the succession, throughout the reigns of Edward II. and Edward III., the sheriffs were oftener appointed by the English than the Scottish kings (*g*). After the return of David II. Sir Walter Halyburton was sheriff of Berwick in 1364 (*h*), which he seems to have transmitted to his heirs. John, the second Lord Halyburton, appointed in January, 1447, Alexander Home, of Home, sheriff-depute of Berwick for life (*i*). Sir Patrick Hepburn, of Hales, acquired from John, Lord Halyburton, in 1449, the heritable office of sheriff of Berwick, which continued with his successors for several generations (*k*). In 1480 Sir Patrick Hepburn, as sheriff of Berwick, assembled at Edinburgh a jury of Berwickshire freeholders, to decide the suit of the abbot of Melrose, for some tofts and fishings at Berwick town (*l*). It was the anomalous practice of sheriffs in that age, to sit in other shires than their own, so as to administer justice without their jurisdictions (*m*). This office, which thus came into the family of Hepburn, continued with their descendants, the Earls of Bothwell, together with the office of bailie of the bailiwick of Lauderdale, as appears by the records, till the forfeiture in 1567 of the notorious James, Earl of Bothwell, and Duke of Orkney. These offices were now granted to Alexander, Lord Home, the guardian of the East March, who

(*d*) In the early part of the reign of Alexander II., Richar Gualen, who granted a tenement with an oven in Berwick to the monks of Kelso, prayed Walter de Lyndsay, the sheriff of Berwick, to affix his seal to the grantor's deed. Chart. Kelso, No. 49. Walter de Lyndsay, the sheriff of Berwick, witnessed a charter of William, the son of Patrick, Earl of Dunbar, to the monks of Kelso. Ib. No. 302. Walter de Lyndsay, the sheriff of Berwick, witnessed a charter of the priory of Coldingham, during the reign of Alexander II. Dougl. Peer. 100. In 1226 Ingelram de Baylol, the sheriff of Berwick, witnessed a charter of Alexander II. in the 12th year of his reign. Chart. Moray, 59. David de Graham was the sheriff of Berwick about the year 1258. Dougl. Peer.. 227.

(*e*) In 1296, Edward I. committed to Osbert de Spaldington, the castle, the town, and the shire of Berwick. Rym. ii., 716. In 1300, John Bourdon was sheriff of Berwick by Edward's appointment. Ib., 870.

(*f*) Ryley's Placita, 504. (*g*) Ayloffe's Cal., 206-7.

(*h*) Dougl. Peer., 321, who quotes the Chartulary of Coldingham.

(*i*) Ib., 322, who quotes a charter in the Pub. Archives. (*k*) Ib., 83.

(*l*) MS. Monast. Scotiæ, 42. (*m*) Caledonia, 753.

retained them, till he lost them in his turn by his forfeiture. In October 1573, the same offices were transferred to Archibald Earl of Angus and his heirs-male (*n*). The brother of Lord Home, though he was restored both in his estates and blood, was never restored to the offices of sheriff of Berwick and bailie of Lauderdale, and in July 1587, Francis, another audacious Earl of Bothwell, obtained, from the imprudence of King James, both those offices, to him, and to his heirs-male (*o*). Upon his forfeiture in 1591, the king, in the spirit of folly, transferred both those offices to Lodowick Duke of Lennox, and his heirs-male. Yet, in October 1592, the Duke of Lennox transferred the office of sheriff to Alexander, Lord Home, and his heirs. This lord, who was created Earl of Home in 1605, resigned the office of sheriff to the king in 1616, who thereupon appointed Alexander Home, of Renton, to be sheriff-principal of Berwickshire, on the 9th of January 1617, who executed this office till the 15th of February 1621 (*p*). From the epoch of Alexander Earl of Home's resignation, who was the last heritable sheriff, the appointment to this trust was in the king, and there followed no fewer appointments than five-and-twenty before the king's restoration, by such authorities as existed in the country during a period of change. In August 1661, James Earl of Home was restored to this office. In October 1667, Alexander Earl of Home was sheriff. In January 1675, James Earl of Home, was again sheriff, though other persons had been appointed in the mean time. At the revolution, this great trust was transferred to a somewhat different family; and on the 21st of August 1690, Sir Patrick Home of Polworth, was appointed sheriff by King William. Yet, on the 26th of September 1710, when a change of influence had taken place, Alexander Earl of Home was appointed to the same office, during pleasure, by Queen Anne. On the 13th of January 1715, Patrick Earl of Marchmont was again named sheriff during pleasure, by George I.; and on the 2nd of October 1724, Alexander Earl of Marchmont was constituted, during pleasure, by the same king (*q*). After the abolition of the heritable jurisdictions, George Ker, who became one of the senators of the College of Justice, in 1755, by the title of Lord Nisbet, was appointed the first sheriff of Berwickshire, under that new and salutary arrangement.

(*n*) Dougl. Peer., 193, who quotes a charter in the Pub. Archives. MS. Memorial of the sheriffs of this shire.

(*o*) Pub. Rec.; Dougl. Peer., 86.

(*p*) Pub. Rec. From all those transfers, it is easy to perceive that the sheriffdom of Berwick was conveyed as property.

(*q*) MS. Paper Office.

There seem to have existed, in this shire, through every age, since its establishment, various jurisdictions, which must have circumscribed the power of the sheriff (*r*). The Morvilles, who held Lauderdale, during the 12th and 13th centuries, had their own sheriffs, within this extensive district (*s*). During those middle ages, the Earls of Dunbar had their stewarts, who acted as judges of the *Merse* (*t*). These notices throw some light on the obscure intimations, which remain of the *vice-comitatus* of the Earls of Dunbar, and March (*u*). As the Morvilles and Dunbars had their sheriffs, so had the Giffords and other barons their sheriffs (*x*). The Douglases acquired the regality of Lauderdale from Robert I., David II., Robert II., and Robert III. (*y*). When the heritable jurisdictions were to be abolished on a day propitious to Scotland, the Duke of Douglas claimed a compensation for the regality of Bunkle and of Preston (*z*); the Earl of Morton, for the regality of the one half of the lands of Langton (*a*); the Earl of Lauderdale for the regality of Thirlestane, and the baillierie of Lauderdale (*b*); the Earl of Marchmont for the regality of Marchmont (*c*); and two several persons for the regality of Mordington, but this claim seems not to have been sustained. There was also a *coroner* of Berwickshire (*d*). The *commissariate* of Lauder, which came in place of the ecclesiastical jurisdiction of the bishop of St. Andrews, extended over this shire; and, exclusive of its

(*r*) On the 12th of July, 1476, however, there was a cause moved in parliament at the king's instance, against two bailies of Berwick-town, for taking out of *the king's irons* two persons, who had been put in by the sheriff. Parl. Rec., 208. Patrick, Lord Hailes, was then sheriff of Berwickshire, and Oliver Lauder, of Lauder, his deputy. Ib., 306—10.

(*s*) Char. of Glasgow, throughout. The Sinclairs of Herdmanston were their sheriffs of Lauderdale. Alan de Clephan was sheriff of Lauder in 1203. Chart. Kelso, and Dougl. Bar., 317.

(*t*) Patrick, the Earl of March, granted a precept, "Seneschallo suo ad deliverandum servos nativos prioris de Coldingham." Chart. Colding., 14. Gilbertus de Home schenescallus comitis Patricii, as mentioned in the records of Durham, was judge of the Merse. Hay's Vindication of Elizabeth More, 103. See the *Dapifers* of the Earls of Dunbar in the Dip. Scotiæ, pl. lxxii—lxxiv.

(*u*) There is a confirmation by David II. of Patrick de Dunbar, Earl of Marche and Moray, "in vicecomitatu Marchie."

(*x*) Caledonia, i., 716.

(*y*) Robertson's Index, 55, 93, 142.

(*z*) He received for that regality £400.

(*a*) But this claim was not sustained.

(*b*) For the regality of Thirlestane he was allowed £500, and for the baillierie of Lauderdale £500.

(*c*) He received for his claim £300.

(*d*) David II. granted to Ade Corsour the office of Coroner in Berwickshire for life. Robertson's Index, 30—5.

authority over the affairs of the dead, exercised a jurisdiction over civil causes of inconsiderable value (*e*).

§ VI. *Of its Civil History.*] Berwickshire, as the most southern division of Lothian, became an important district of the kingdom of Scotland by the cession of the Earl of Northumberland to the Scottish king in 1020 A.D. (*f*). It was, at that epoch, inhabited by Northumbrian Saxons, who had long enjoyed this ample country. Half a century of violent conflicts ensued. At length the sons of Malcolm Canmore successively ascended his bloody throne. In 1097 A.D. Edgar acquired the sovereignty of Berwickshire, which he quietly retained till his demise, in 1107. By the will of Edgar, his younger brother, David, obtained not only a part of Cumberland, but a large portion of the districts which lie in Lothian southward of Lammermuir (*g*). In those times there was not probably a numerous population on a doubtful frontier, either at the accession of Edgar, or even at the more settled year, 1124, when Earl David, by indisputable descent, became king (*h*). Many respected English barons, who laid the foundation of considerable houses at that period, settled in Berwickshire, and augmented its people (*i*).

In the history of this shire, Berwick-town is one of the first objects of just curiosity. This place, lying at Tweedmouth, on a dubious frontier, has an origin obscure, undignified, and recent. It was not mentioned by Bede, who closed his useful labours in 732 A.D.; it was not noticed by Hoveden when he enumerated the churches on the Tweed, in 882 A.D. (*k*); but it was called *Nobilis vicus* by William of Newbrig during the age of David I. It was at this period the most populous and important town of North-Britain (*l*). At

(*e*) The power of the commissary extended only to the value of £3 6s. 8d. sterling.

(*f*) Caledonia, i. 369-402. At the accession of David I. in 1124, Northumberland was separated from *Lothian* by the Tweed. Sim. of Durham, 253. In 1137, the same country was, by Hoveden, called *Lonais*, and by Diceto, *Lohaneis*.

(*g*) See Earl David's foundation charter of Selkirk Abbey while Henry reigned in England, and Alexander in Scotland; whereby he granted many lands in the southern districts, and particularly a carucate and *maisure* of lands in Berwyc [Town]. See his two charters, while he was Earl David, in Smith's Bede, App. xx.

(*h*) See the charter of Thor-longus, in Smith's Bede, App. xx.

(*i*) See the Saxon Colonization of Scotland, in Caledonia, Book IV., Ch. i.

(*k*) Fol. 418.

(*l*) Berwick is not mentioned in any of the genuine charters of Edgar, nor by David I. when he confirmed those charters; nor is it spoken of in the doubtful charter of Duncan. Berwick was

the epoch of the Scoto-Saxon period, Berwick had certainly become a town of the royal demesne, as we may learn from the charters of Earl David, and of the Scottish kings, his successors (*m*). It was already a *burgh* when Earl David founded the abbey of Selkirk, while Alexander yet reigned in Scotland (*n*); and it became, during the reign of David I., one of the *quatuor burgorum*, for holding a court of commercial jurisdiction under the king's chamberlain. Whether the town of Berwick gave rise to the castle, or the castle to the town, cannot be precisely ascertained. Generally, the castles, by furnishing shelter in rude times, produced a village under its walls; and there is reason to suspect that some of the Northumberland Earls may have built a castle of whatever strength, on the *naked* height, for his own accommodation (*o*). The castle gave protection to the town, and the town gave rise to the bridge across the Tweed,

given by Edgar to the see of Durham, saith Wallis, as a part of the lands of Coldingham; but it was taken back by Edgar, he adds. Hist. Northumberland, ii. 431. For those assertions he quotes Holinshed; yet, after looking into the charters and reviewing the subject, I consider such assertions as unfounded and fictitious.

(*m*) Earl David gave to the monks of Selkirk, in Berwick, one carucate, "et unam mansuram sub ecclesia usque in Tweda," and the half of a fishery, the seventh part of the mill, and forty shillings a year, "de censu de Burgum." Chart. Kelso, No. 4. This was confirmed by Malcolm IV. and William, Ib., No. 1, 2, 3. King William directed the *prepositus* of Berwick to pay the monks of Kelso forty shillings annually, as his grandfather, David I., had granted. Ib., 29. They still received this annuity at the beginning of the 14th century. Ib., 25. Alexander II. confirmed an agreement between the monks of Kelso and the mayor and community of Berwick, "super tota septima parte molendinorum de eedem villa." Ib., 37. In 1128, David I. granted to the monks of Holyrood a toft in his burgh of Berwick. Maitland's Edin., 145. David I. gave to the monks of Dunfermline, "unam mansuram, in Berwick." MS. Monast. Scotiæ, 105. David I. granted to the monks of May, "quandam plenariam toftam, in Berwick." Chart. May, No. 5. David I. gave to the canons of Jedburgh, "unam mansuram in Berwick, tertiam quoque maisuram, in eadem Berwic super Twedam, cum tofto suo circumjacente." MS. Monast. Scotiæ, 29. William confirmed to the monks of Lindores a toft, "in *burgo meo* de Berwic." Chart. Lindores, No. 6.

(*n*) Charter of Selkirk. Berwick had then a church, a fishery, a mill, and some trade. A charter of Malcolm IV. speaks of the merchants of Berwick. David I. granted an exchange of the church of St. Mary de Berewic for the church of Melrose. Nic. Hist. Library, 363. Malcolm IV. directed by his charter that none of his ministers of Berwick should implead the men of Coldingham. Id. Dalrymple's Col., 364. William the Lion gave an annuity of eight shillings out of the mill of Berwick to the monks of Farne island. Nic. Hist. Lib., 365. There is in the Appendix to this work, 363-7, a list of the charters granted by the Scottish kings, which are preserved in the treasury of Durham, and which illustrate the obscure history of Berwick in those ancient ages.

(*o*) David I. appears, from the dates of some of his charters, to have resided at times in Berwick castle. Diplom. Scotiæ, pl. xii.; Smith's Bede, 762.

in those uncommercial times (*p*). Under the beneficent reigns of David, and his immediate successor, Malcolm IV., Berwick flourished. Under William the Lion, it became a place of mintage (*q*).

The importance of Berwick was known to Henry II. of England, who is recollected as the oppressor of Scotland; and from the captive William he wrenched, in 1174, Berwick and its castle, which he retained while he lived. The policy of Richard I. relinquished, in 1189, the castles of Roxburgh and of Berwick, specifically with every claim which he could make on Scotland (*r*). Berwick-town now flourished a while; but the fury of king John, as he retired through the Merse, carried his torch throughout that devoted town, in 1216 (*s*). Yet was Berwick restored and improved, during many years of peace, under the beneficent influences of the Scottish kings. In 1235, Gilbert, Earl Mareschal, on his marriage with Margery, the sister of Alexander II., came to Berwick, where he received his bride and celebrated his nuptials. In 1266, Edmond, the younger son of Henry III. paid a visit to the king and queen of Scots at Berwick, where Alexander III. celebrated his birthday (*t*). The disputes arising from the disputed succession to the crown of Alexander III. involved Berwick in many miseries. In June 1291, the castle of Berwick, and indeed every other strength in Scotland, were surrendered to Edward I. as lord paramount. On the 3d of June 1292, Philip de Rydale, the mayor and the inhabitants of Berwick-town, swore fealty to Edward I. (*u*). The competitors for the crown of Alexander III. soon after put in their several claims at Berwick-town. A parliament assembled here in October 1292. On the 17th day of the following

(*p*) In 1199, the bridge of Berwick being carried off by floods, this event gave rise to disputes between William the Lion and the bishop of Durham, about rebuilding it as it abutted on the bishop's lands. Hoveden, 796. The late Lord Hailes remarked that the only dispute now would be *who should pay the expense*. This new bridge scarcely "durid ix yeres," saith Leland. As early as 1307, *a passage* between Berwick and Tweedmouth is spoken of in Rym., ii., 1049. In 1334, *this passage* was granted to the bishop of Durham. Ayloffe's Cal., 147; and in 1337, there was a grant of rents, "for *building the bridge* of Berwick." Ib., 177—204. One of the streets of Berwick was, of old, called *Brig*-gate. Ib., 166. The present fine bridge of 16 arches was built of stone in the reign of Elizabeth. Wallis's Northumb., ii., 41.

(*q*) Cardonnel's Numismata, 6. The names of the moneyers were William and Adam: William on Berwic, Adam on Berwic. Pl. i., No. 13, 14, 15. Those coins illustrate the Saxon speech of the moneyers. Even James III., who claimed the honour of being the *liberator* of Berwick, seems to have made some coins at Berwick mint. Ib., 80. At the epoch of King William's misfortune, in the field of Alnwick, Berwick and the adjacent country were burned by the English barons, Lucy and Bohun, says Bromton. Twisden, 1089.

(*r*) Rym., i., 64; Hoveden, fol. 662.

(*s*) Border Hist., 123.

(*t*) Wallis's Northumb., ii., 53; Fordun, x., 24.

(*u*) Rym., ii., 568.

November, the crown and kingdom of Scotland were adjudged to John Baliol in the hall of the castle of Berwick (*x*); and two days afterward, the castle and kingdom of Scotland, and with them Berwick, were placed in the possession of that dependant king, under his lord paramount.

Roger Bartholomew, a citizen of Berwick, by appealing to Edward against the late guardians of Scotland, in December 1292, brought on disputes which ended in long and ruinous wars (*y*). In October 1295, Baliol consented that Berwick, Roxburgh and Jedburgh, should be delivered to the bishop of Carlisle, during Edward's hostilities with France (*z*). Yet, Berwick seems not to have been surrendered; and Edward I. having attacked it by sea and land, took it by assault and butchered the inhabitants, on the 30th of March 1296 (*a*). Edward held a parliament at Berwick in 1296, where the principal persons of the Scottish nation offered their homage, after Baliol and his government had renounced their allegiance to the English king (*b*), and in August 1297, Edward I. established his exchequer for Scotland at Berwick, when it became the English metropolis in North-Britain, the depository of the records, and the tribunal of his authority (*c*). Yet was it soon after seized by Wallace, as one of the fruits of his victory at Stirling bridge, though the castle was too strong and too well defended to be taken without a siege (*d*). After the great defeat of Falkirk, the English remained in possession of Berwick during twenty eventful years (*e*). Meantime, in 1305, the mangled limbs of the illustrious

(*x*) Rym., ii., 588. (*y*) Ryley's Placita, 146; Lord Hailes' An., i., 222.

(*z*) Rym., ii., 692.

(*a*) Lord Hailes' An., i., 236. Thirty Flemings, who manfully defended the Red Hall, were burnt with it on the same day. Sir William Douglas, who feebly defended the castle, surrendered his charge, and swore fealty to Edward. Id.

(*b*) Prynne, iii., 652—663.

(*c*) Rym. Foed., ii., 793. Ayloffe's Cal., 115. The records which had been deposited in the castle of Edinburgh, were delivered on 16th September, 1296, to Hugh Cressingham, the treasurer at Berewyk-upon-Tweed. Ib., 337; and see Maddox's Exchequer, ii., 4; whereby it appears that the exchequer of Berwick was to be governed by the same rules as the exchequer of Westminster.

(*d*) Bord. Hist., 207; Lord Hailes' An., i., 252. Yet early in 1298, the Scots evacuated Berwick, which became the rendezvous of the army of Edward, which was again to decide the fate of Scotland on Falkirk-field. In 1299, the English monarch assembled his army at Berwick, for the relief of Stirling castle; but his barons refusing to advance, he was obliged to retire in disgust. Ib., 266.

(*e*) Border Hist., 269; Wallis's Hist. Northumberland, ii., 435. Edward I. for the last time came to Berwick for a few days in July 1301, on his northern expedition, which proved as fruitless as his first.

Wallace, who had fallen under the axe rather than the sword of Edward, were exhibited, as sad but unavailing spectacles to the Scottish people on Berwick bridge (*f*). In the subsequent year, Berwick was again stained by the anger more than by the policy of that overbearing king. The spirited Countess of Buchan, who had placed Robert Bruce in the inaugural chair, was exhibited, to the disgrace of Edward's gallantry, in a *wooden cage* on the walls of Berwick castle (*g*).

Let us, meantime, turn to some other towns of this shire which are less frequent in negotiation and seldomer dignified by events. Lauder is, indeed, the only royal burgh within this county. As a kirk-town, it is as ancient as the reign of David I., if not older. From him, however, Hugh Morville obtained Lauder, with its territory on the Leader water. Like the other great settlers, Hugh Morville having obtained a district, built a castle, a church, a mill, and a brewhouse for the convenience of his followers. As early as the subsequent reign, we may see Malcolm IV. give a confirmation of the grant of his grandfather, for the tithes of the mill of Lauder to the canons of Dryburgh, which they had derived from Hugh Morville before the death of Earl Henry, in 1152 (*h*). We thus perceive that *Lauder* was a town in demesne of the Morvilles and Baliols, who represented those early constables of Scotland, even down, perhaps, to John Baliol, who, with his dependant crown, forfeited, for his ambition, his vast estates (*i*).

Greenlaw, the county town, which stands on the Whiteadder, twelve miles from Lauder on the west, and twenty from Berwick on the east, was merely the seat of a kirk, and the demesne of the Earl of Dunbar, during the reign of

(*f*) N. Trivet, i., 340; Holinshed, ii., 313.

(*g*) Rymer, ii., 1014; Holinshed, 314; Caledonia, i., 673; wherein the final fate of that great woman is left in unsatisfactory doubt. In her wooden cage she remained till the year 1313, when Edward II. ordered Edmund Hastings, the keeper of Berwick and the constable of its castle, to deliver Isabel, who is described as the wife of John, late Earl of Buchan, to Henry de Beaumont, the husband of Alice Cumyn, her relation. Rym., iii., 401. See Dug. Baron., ii., 50, for an account of Henry de Beaumont, who assumed the earldom of Buchan, and made a considerable figure in the annals of Scotland, during the subsequent reign.

(*h*) Chart. Dryburgh. Hugh Morville, the grantor, died in 1162, and his territorial rights in Lauderdale descended successively to two male heirs, and to a long succession of female heirs, who introduced the Lords of Galloway, the de Quincys, and the Baliols.

(*i*) The right of patronage of the church of Lauder was resigned by John Baliol and Dervorgille his wife, who represented the Morvilles, in 1268, for the benefit of the canons of Dryburgh, with the site of the chapel, to the same church of Lauder belonging. Chart. Dryburgh. After that forfeiture, Robert I. granted to Sir James Douglas, his great supporter, the *town* and *territory* of *Lauder*. Robertson's Index, 10.

David I. (*a*). *Greenlaw* was granted by the fourth Gospatrick, the Earl of Dunbar, who died, as we have just seen, in 1166, to his younger son, Patrick, who fixed his residence at that ancient kirk-town; and he confirmed his father's grant to the monks of Kelso of the church of *Greenlaw*, with the chapel of Lambdene and the adjoining land (*b*). Patrick was succeeded by his son William, who also resided in the castle of *Greenlaw*, and enjoyed a private chapel within *his court* (*c*). William married his cousin Ada, the daughter of the first Patrick, Earl of Dunbar, by whom he obtained the manor of *Home;* and from this marriage sprung the family which is known by the surname of *Home*, that was derived from the appellation of their castellated residence. Thus William and his progeny long possessed *Greenlaw*, under the Earls of Dunbar, from whom they in this manner originated (*d*). William was succeeded by his son William, who, assuming the surname of Home from the castle where he resided, the scene of so many conflicts, *Greenlaw* was neglected for greater objects; and was perhaps involved in the several forfeitures of the Earl of Dunbar and Lord Home (*e*).

Duns is another town which was the seat of a kirk during the twelfth century as we may know from record (*f*). *Duns*, as the name imports, stood

(*a*) Exchequer MS. of Mr. Sol. Gen. Purvis. Gospatric *comes*, who succeeded his father in 1147, granted to the monks of Kelso, with other churches and lands, the church of *Greenlaw*, with the chapel of Lambdene and the adjacent land. Chart. Kelso, 70. Waldeve, who succeeded Gospatric in 1166, confirmed that grant of his father. Ib., 72.

(*b*) Ib., 73. Patrick further granted to the same monks certain rights of pasturage, in *his manor of Greenlaw*. Id.

(*c*) Ib., 74-5-7.

(*d*) Dougl. Peer.. 341. William, who lived under Alexander II., engaged to the monks of Kelso, that their church of *Greenlaw* should sustain no injury from the chapel which they granted him, within his court, "in curia mea." Chart. Kelso, 74. William made other grants to the monks of Kelso, which show that he was *lord* of *Greenlaw*. Ib., 75-77. Crawf. Peer., 220.

(*e*) Chart. Kelso, No. 76. When the earldom of March came to the crown by forfeiture, there were enumerated among the lands of that earldom, which were accounted for in the Exchequer, *Greenlaw*, and the mill thereof, Greenlaw-den, and Greenlaw-hame. Purvis's Excheq., MS. Alexander Lord Home obtained charters between the years 1508 and 1516, for the barony of *Greenlaw* and other lands. Dougl. Peer., 345, who quotes the Records. Lord Home was executed on the 8th of October, 1516. His estates were not all restored to his brother George. Parl. Rec., 641.

(*f*) At the epoch of the ancient *Taxatio*, it seems to have been the most considerable place in this shire, next to Berwick and Coldingham. The church of Berwick was rated in that *Taxatio* at 110 marks; the church of *Duns* at 110 marks; the church of Coldingham at 120; the church of Eccles at 100; and of Greenlaw at 45 marks.

originally on the summit of a hill, which is pleonastically called Duns-law; and which rises gradually 650 feet above the level of the sea. At the head of the plain, which stretches from the mouth of the Tweed, in the centre of the shire, stands the modern town of Duns; having the Lammermuir hills on the west, north, and east. Its origin is extremely obscure. It is never mentioned in the charters of the 12th and 13th centuries; its inhabitants are not even noticed in Ragman-roll; yet it rose into notice soon after the succession of Robert Bruce, when it became the property and residence of the celebrated Sir Thomas Randolph, the king's nephew, and Earl of Moray. From him it descended, in 1332, to his son Thomas; and from John, in 1346, to his sister Agnes, the celebrated Countess of March. Thus did Duns become a town, in demesne, of this potent family, who had here many tenements and husband-lands, a *park*, a forest and a castle (*g*). Duns now partook of their splendour; followed their fortunes; and shared in their fate. After the accession of Bruce, some other villages in this shire rose into the political state of *burghs of barony*, which, by their unimportance, only justify the remark of Camden, that *the Marche* is more noted for its *earls* than its *places*.

Let us now turn from those places which, in those times, were only the obscure seats of several parishes, to the shire, by a retrospect to original settlement, and an attention to influential events. In the history of property and of persons, there are two periods of great importance in the Scottish annals. The first is the reign of David I., when so many strangers settled in North-Britain; the second is, the reign of Robert Bruce, when a contest for the crown produced so many forfeitures, which were granted to the spirited supporters of the successful king. During the first period, David himself possessed much property in Berwickshire, and the sovereignty of the whole. How many lands he granted to his followers from the south need not be repeated (*h*). Earl Henry, his son, and the Countess Ada, possessed several manors, which they liberally

(*g*) There is a charter of Thomas, Earl of Moray, granting to the monks of Newbotle an annuity of two marks out of the lands of Kingeside, dated "apud parcum de Duus," the 9th of July, 1316, in the king's presence, with Patrick, Earl of Dunbar, Sir James Douglas, and other considerable persons. Chart. Newbotle, No. 132. David II., in 1362, confirmed a grant of lands by Patrick, Earl of Dunbar, to Alexander de Ricklintoun, his armour-bearer, of certain lands in *Duns*. Robertson's Index, 43. When George, Earl of Dunbar, founded the collegiate church of Dunbar in 1392, he made the church of *Duns* one of the eight prebends thereof. Sir Lewis Stuart's MS. Col., 58. There was a confirmation, in 1366, by David II., of a charter from Patrick, Earl of Dunbar, to Thomas de Papedy, "me tunc existente apud *Dunss*." Robertson's Index, 81.

(*h*) Caledonia, bk. iv., ch. i.; of the *Saxon Colonization*.

distributed to their English vassals (*i*). Next to the king and prince, the earls of Dunbar enjoyed the most extensive estates and the most numerous vassals. Next to this potent family, Hugh Morville possessed the greatest property in Berwickshire, particularly on the Leader water (*k*). The Stewarts retained their estates in Berwickshire till they ascended the throne. The progenitors of the Gordon family, during the twelfth century, obtained the manor of Gordon, from which they derived their appropriate name, with other lands, in the parishes of Weststruther and Earlston. Bernard Baliol, Haye of Simprine, and Byset of Upsettlington, all obtained from the munificent David I. their several manors. The vast estates of the Morvilles passed, by a female heir, in 1196 A.D., to the lords of Galloway; and from them, those possessions were transmitted, by other female heirs, in 1234, to Roger de Quincey, William de Fortibus, and John Baliol, whose son contended for the crown; and, above all, the monks emulated the barons in the extent of their estates, and went beyond them in the usefulness of their improvements (*l*). During the second period, the restoration of the monarchy by Robert Bruce created many forfeitures,

(*i*) To William de Vetereponte, Earl Henry granted almost the whole manor of Langton, with the lands of Hornedene in the Merse, and some *shielings* in Lammermuir. He transferred various portions of those lands to the monks of Kelso. His son, William, followed his example. The monks, in their gratitude, received into their cemetery the corpse of the lamented Earl Henry, who died in England; they enrolled his name among their benefactors, and they said masses for his soul. Chart. Kelso, 138, 142, 143. To the Northumbrian, William de Ow, Earl Henry granted other portions of Langton; and here he settled with his followers. Ib., 137, 448. The Countess Ada, Earl Henry's widow, gave the lands of Langlaw to Alexander de St. Martin, who was a liberal benefactor to the monks of Dryburgh and Newbotle. Chart. Dryburgh, 66-8; Chart. Newbotle, 108-9.

(*k*) The Morvilles enjoyed the whole of Lauderdale as low down as Legerwood and Birkenside, which the *Stewart* obtained from Malcolm IV. Below those manors, the earls of Dunbar owned considerable estates on both sides of the Leader, comprehending Ercildoun and other lands. At the foot of Lauderdale, the Morvilles enjoyed some rich lands on the northern bank of the Tweed, including Bemersyde, Dryburgh, Mertoun, and Newton on the Eden. Chart. Dryburgh and Kelso, throughout.

(*l*) The monks of Coldingham very early acquired on the lower Tweed around Berwick, many manors and lands, and perhaps even parishes, from the grants of Edgar, David I., and the Earls of Dunbar. See the Chartulary of Coldingham throughout, which evinces not only the greatness, but the compactness of their estates. The monks of Dryburgh acquired considerable possessions in the western parts of Berwickshire. See their Chartulary throughout. The monks of Kelso also obtained very large estates in the middle districts, as well as the south-western parts of this shire. See their title-deeds in the Chartulary of Kelso, and the nunneries, hospitals, and other ecclesiastical corporations, obtained, from the piety of those times, many lands, as we may still see in the Chartularies.

and introduced many new people into Berwickshire (*m*). The king's nephew, the Earl of Moray, by acquiring Duns, Mordington, Longformacus, and other lands at that epoch, gained a settlement in this county (*n*). The Douglases were introduced here for the first time. The forfeiture of the representatives of the Morvilles enabled a generous prince to grant Lauderdale to Sir James Douglas, with Cockburn and other lands (*o*). The earls of March seem to have retained their property in this shire during a lengthened struggle. The Stewarts of Scotland preserved their lands throughout many years of peril (*p*). The second son of the Stewart by marrying the heiress of Bunkle transplanted a new family into Berwickshire, from which is descended the present representative of that ancient race. The religious houses acquired their full share of land and annuities in this shire from the bounty of Robert I., who owed much of his success to the spirited support of the churchmen (*q*). In the midst of those struggles for a great object and forfeitures for attachments to the unsuccessful king, several families who had been vassals rose to independence, and some families who had been for ages low now rose to eminence.

The people of this shire were first involved in warfare by the efforts of David I., in support of his niece, the Empress Maud, against the usurpations of Stephen. By the cessions of Malcolm IV. to Henry II., Northumberland and Cumberland, from being congenerous districts, became unfriendly neighbours. The imprudence of William the Lion was far more fatal, however, than the weakness of Malcolm. By engaging in hostilities with England in 1173, for supporting the son of Henry II. against his father, he induced Lucy, the justiciary of England, to cross the Tweed, when he burnt Berwick and wasted the Merse and Lothian (*r*). William renewed the war in the subsequent year. He was taken prisoner on the 13th July, 1174. To regain his liberty the captive monarch weakly surrendered the independence of his kingdom. As a pledge for the performance of this wretched treaty, William delivered to the English king Berwick, and four other castles, the principal strengths of Scotland (*s*). The year 1189 will always be memorable in the annals of North-Britain, for the death of Henry II. and the succession of Richard I., who restored Berwick, and with it, national independence (*t*). Berwickshire enjoyed the benefits of those events during many years. Disputes began, however, in 1204 about the building of a castle at Tweedmouth. The English king led his

(*m*) Robertson's Index, 1—30 (*n*) Ib., 9. (*o*) Ib., 10. (*p*) Ib., 77-93.
(*q*) Ib., i., 30. (*r*) Chron. Melrose, 172; W. Newbrig, 206.
(*s*) Rym., i., 39. (*t*) Ib., 64; Chron. Melrose, 178.

army to Norham, William the Lion led his to Berwick (*u*). Alexander II., entering into warfare with John, during the barons' war, from a hope of acquiring the northern counties of England, involved his kingdom in misery. In 1216 John wasted Lothian with fire and sword, he stormed the castle of Berwick, he burned Dunbar and Haddington, and, in his retreat, he set his torch to Coldingham monastery and to Berwick town (*x*). More than seventy years now elapsed before the Scottish borders were again involved in such devastations.

It was the demise of Alexander III. in 1286, without issue, the competition for his crown, and the ambition of Edward I., which brought infinite miseries on the contiguous nations. On the 31st of May, 1291, the estates of Scotland, after sitting at Norham, in Northumberland, were adjourned by the English king to meet him at Upsettlington, within Berwickshire, on the opposite bank of the Tweed. Here in a few days the estates of Scotland relinquished the independence of the nation to Edward, to enable him, as the pretended Lord Paramount, to decide the contest for the crown. He soon repaired to Berwick, and an universal homage to the English king was here required under the pains of forfeiture. On the 28th of June, 1291, the mayor, corporation, and inhabitants of Berwick now swore fealty to that ambitious sovereign within their parish church (*y*). Many of the people of Berwickshire and of other counties followed their servile example. Having thus obtained this important acknowledgement, which comprehended so many consequences, Edward returned to England in August, 1291, leaving the ultimate decision with respect to a dependant crown to the subsequent year (*z*). The Lord Paramount returned to Berwick castle on the 1st of June, 1292, and many a disgraceful scene here ensued during some subsequent months. A parliament assembled at Berwick on the 15th October, 1292, and on the 17th of November, 1292, in the great hall of the castle, Edward adjudged the disputed crown to John Baliol (*a*). A few feverish years of claims by the Lord Paramount, and of compliance by a dependant king, ended at length in avowed enmity. A treaty with France was sought by Baliol, and in March, 1296, an inveterate war began with the

(*u*) Lord Hailes' An., i., 137.

(*x*) Chron. Melrose, 190; M. Paris, 191.

(*y*) Prynne, iii., 509.

(*z*) Rym., ii., 525; 567—73; Prynne, 450. Edward was at *Caldstrem in Scotiæ*, says the record, on the 2nd of August, 1291. Ib., 451. Here, in a happier age, a bridge was built to facilitate the intercourse between the two united nations, by mutual compact.

(*a*) Rym., ii., 598.

oppressor of his people. Edward, as if prepared for such an event, promptly marched to Berwick, which he took by assault, after a vigorous defence, when five thousand persons were slain in a general carnage (*a*). The castle of Berwick, which Sir William Douglas commanded, capitulated on the same day (*b*). Here Edward remained during fifteen days, fortifying this border town and directing his ultimate measures. His army marched through the Merse to Dunbar, where the English generals obtained a victory on the 28th of April, 1296, which decided the fate of Baliol and the issue of the war (*c*). He now over-ran Scotland, and assembling a parliament at Berwick on the 24th of August, 1296, he received the homage of a kingdom which was over-run, but not subdued (*d*). In the subsequent year, however, Wallace acquired Berwick town as one of the consequences of his victory at Stirling (*e*). But his important acquisition was of short continuance. The Scots retired from it as Edward I. again advanced to the Tweed, and he now placed a body of Gascons to garrison Berwick till the fortune of Scotland should be tried by a battle (*f*). He won the field of Falkirk on the 22nd of July, 1298. Yet the Scots continued unsubdued. In the subsequent year they even besieged the castle of Stirling. In November, 1299, Edward assembled an army at Berwick in order to relieve that important strength; but his barons, feeling their wrongs, positively refused to advance through a rugged country during that gloomy season (*g*). After alternate successes and defeats and the ill-kept truces of various years, Edward proceeded in 1305 to settle this litigated kingdom by his ordinance for the stability of Scotland. By it the castle of Berwick was left in the keeping of the Chamberlain of Scotland, Sir John de Sandale, who was to appoint such a sheriff for Berwickshire as he could answer for; and the Chamberlain was entrusted with the town, for the profits whereof he was to account, according to the extent which had been made by the king's command after its conquest (*h*).

But new events were at hand. The coronation of Robert Bruce on the 27th of March, 1306, brought with it a fresh war, which was equally bloody as the former, but more fortunate for the interests of Bruce and the indepen-

(*a*) Fordun says 7,500 persons were killed, Hemingford, 8,000, M. Westm., 6,000. If 5,000 were slain in the assault, Berwick must have been, indeed, at that epoch, a very populous city.

(*b*) The 30th of March, 1296.

(*c*) On the 16th of May, 1296, Edward committed to Osbert de Spaldington the keeping of the castle, the town and county of Berwick. Rymer, ii., 716.

(*d*) Prynne, iii., 653-63.

(*e*) W. Hemingford, i., 131.

(*f*) W. Hemingford, 159.

(*g*) Ib., 170.

(*h*) See the Ordinance in Ryley, 504—8.

dence of Scotland. Edward I., with his dying breath, ordered the prosecution of a vigorous war against North-Britain. But Edward II. as he was opposed by the skill and valor and fortune of Bruce, carried on hostilities without success. From Carlisle on the west, and Berwick on the east, most of his inroads were made into the Scottish frontiers. In the years 1310 and 1311, Edward II. passed nine months in Berwick, whence he made some incursions into the adjacent country. On the 26th January, 1311-12 the English king issued from Berwick ample authorities for making a truce with the Scots whom he tried to gain, but they felt their own powers of resistance under more fortunate commanders. No truce was made between parties whose pretensions were so different. Edward II. assembled a great army at Berwick on the 11th of June, 1314, with design to make the Scots feel his hostile sword, and to relieve Stirling Castle. But Robert Bruce resolutely placed himself between the English army and Stirling castle at the Torwood, and on the 23rd of June, 1314, the independence of Scotland was successfully fought for at Bannockburn, on a decisive field. Edward II., after an undignified flight by land to Dunbar castle, was carried thence by water to a safe retreat in Berwick. The Scots attempted in July, 1315, to surprise Berwick, but their success was not equal to their effort. Edmond de Cailaud, the Gascon governor of Berwick, made an inroad into Teviotdale and wasted the intermediate country, but on his return he was intercepted by Sir James Douglas, and slain with many of his Gascons. Douglas now heard of the vaunt of Robert Nevil, another of the commanders in Berwick, that he would encounter that eminent commander wherever he might see his banner. Douglas was thus invited towards Berwick, and he burnt some villages and displayed his pennon. While much of warfare was personal, Nevil was thus provoked into the field, where he fell before the fortune of that valorous knight.

The ascendancy which the Scots had at length acquired induced Edward II. to avail himself of the pope's favour for obtaining a necessary truce; but while the title of king was withheld from Bruce, the papal messengers were told *that there could be no hopes of a treaty.* The guardian of the Minorites of Berwick, Adam Newton, was now sent to proclaim the papal truce in Scotland. He found Bruce with his army in a wood near Old Cambus, preparing for the assault of Berwick. But to the intimations of the Minorite Bruce resolutely answered, *I will listen to no bulls till I am treated as king and have made myself master of Berwick.* On the 28th of March, 1318, the Scots, under Randolph, Douglas, and Dunbar, obtained the town of Berwick, partly by intrigue, but more by address and bravery. Bruce, who lay in the neighbourhood, hearing of this

success, hastened to besiege the castle, which he soon obliged to submit (*a*). By his valour and policy he had now expelled his adversaries from Scotland. He for some time resided in Berwick castle, where he dated many of his charters, and where he assembled several of his parliaments.

Edward II. resolving to wipe off this disgrace, assembled a great army at Newcastle, in July 1319. He soon advanced to Berwick, and trusting to the numbers of his troops and to their skill, he assaulted the town by sea and land (*b*). They were opposed, with equal knowledge and firmness, by the Scots, under the Stewart of Scotland, who had been placed in this great trust by Bruce, whose daughter Margery, he had married. At the close of a well-fought day, the English desisted from their strenuous efforts. The merit of this repulse was chiefly attributed to the Stewart, who, being supported by his own family and vassals, displayed a conduct, gallantry, and perseverance, which became the father of a race of kings (*c*). Nor was Robert Bruce an unconcerned spectator of

(*a*) Those were events so important, and the story has been so obscurely told, that it may be of use to clear this darkness, by adopting a few illustrations. Lord Hailes has failed in relating those adventures by misconceiving the language and meaning of Barbour. The tale of this poetical historian is, that Syme of Spalding, a burgess of Berwick, having been harshly treated by the governor of that town, in order to be revenged, sent a letter to the *March-erle*, whose *cosyne* he had married. The *March-erle* is Barbour's poetical expression, for the *Earl of March*, the sixth Patrick, Earl of Dunbar and March. The earl communicated this letter to the king, who ordered him to assemble his men on the night appointed by Spalding at *Duns-park*, the Earl of Moray's manor-place, in the Merse, where he would cause Randolph and Douglas to meet him with their men. The earl prudently kept both the letter and the king's order secret till the appointed day—

"Than of the best of *Lothiane*
"He him till his tryst has ta'ne;
"For schyreiff thereof then was he:
"To *Duns-park* than with his menye
"He came at evyn privelye."

Lord Hailes, as he did not understand Barbour's expression of *March-erle*, says Spalding's letter was sent to a *Scottish lord*. But the Scala Cronica which he had before him, might have shown him that, "James Douglas, by help of *Patricke Counte of Marche*, and Peter Spalding, got Berwick out of the Englishmen's hands;" and his lordship not understanding what place was meant by *Duns-park*, says the king ordered the *Scottish lord* to repair to *a certain place*. This is all obscurity, but Barbour is all clearness, when properly understood. *Duns-park* was contiguous to Duns-town, and being the domain of Randolph and within a night's march of Berwick, the object of surprise was the most commodious place of rendezvous.

(*b*) Malmsbury, 161, described Berwick "as a strong well-walled town, situated on the sea, in the "beginning of Scotland, and convenient for merchants, in time of peace."

(*c*) This Walter Stewart was born in 1293, succeeded his father, James, in 1309, married Margery Bruce in 1315, who brought him a son on the 2nd of March, 1315-6, that ascended the throne on the 22nd of February, 1370-71, upon the demise of David Bruce by the name of Robert II., the first of the Stewartine dynasty.

that conduct, which saved this important town. By sending Randolph and Douglas into Yorkshire, who made a successful diversion, he obliged Edward II. to raise the siege, on which he had built so many hopes. Robert Bruce now repaired the defences, and raised the walls of Berwick, which recent experience had shown him to be too low, and deepened the ditches, that were too shallow (*d*).

A two years' truce was the just reward of so many efforts, and of so much enterprise. The war was renewed with great waste and misery. Edward II. entered Berwickshire, in August 1322, with a formidable army. Bruce opposed him, rather with caution than magnanimity. Having ordered the cattle, and flocks, and valuables, of the Merse and Lothian to be removed, he took post behind the Forth at Culross. When the English army had advanced to the neighbourhood of Edinburgh, famine fell upon it; and Edward was obliged to retreat, by the policy rather than the sword of Bruce, who had a nation to save and a crown to transmit. The English troops, as they retired, carried a flaming torch through Lothian and the Merse to Dryburgh Abbey, where the monks were slain, and their church profaned. The Scots retaliated by a vigorous incursion into Yorkshire, which was attended with circumstances of equal profaneness and barbarity. At Berwick, in March 1323, Bruce negotiated a truce, which was to endure till June 1336. It was agreed that during this period no fortresses should be erected in Cumberland northward of the Tyne, nor in the shires of Berwick, Roxburgh, and Dumfries (*e*). On the 7th of June 1323, this important treaty was ratified by Robert Bruce at Berwick, with the consent of his bishops, earls, and barons (*f*). So great a value did the Scots put on Berwick, that they rather chose to continue under the excommunication of the pope, than yield it to the English.

The Scots, in June 1327, put an end to the truce, which seems not to have been much regarded by either party. Randolph and Douglas now entered England at the head of twenty thousand cavalry. The warlike Edward III., at the age of fifteen, marched fifty thousand men to oppose them. The Scottish com-

(*d*) Barbour, iii., 94, speaks of the siege and reparations with the minuteness of personal knowledge. Bruce says he

"—— Sent for mesonys far and ner,
"And gert *weill ten fute hey the wall*
"About Berewick's toun our all."

This intimation of Barbour is confirmed by a charter of Robert Bruce to the monks of Melrose in 1320, which evinces that he had obtained a special aid for repairing the walls and deepening the ditches of Berwick. MS. Monast. Scotiæ, 38.

(*e*) Rym. iii., 1022. (*f*) Ib., 1031.

manders, after amusing the English leaders for several days, retired into their own wilds, whatever could be opposed to their march by skill or bravery. The young prince wept when he perceived that he had been outgeneralled by such experienced commanders in desultory warfare, as Randolph and Douglas. The misfortune of the campaign of 1327 led to the treaty of Northampton, in April 1328, which, with the consent of the English parliament, acknowledged the sovereignty of Scotland and the royalty of Bruce. It was a fundamental article of this treaty, which will be always remembered in the Scottish annals, that David, the son of Robert I., should marry Johanna, the daughter of Edward II. (*g*). This marriage was solemnized at Berwick on the 12th of July 1328.

Robert Bruce, the restorer of the monarchy, died at the premature age of fifty-five, on the 7th of June 1329. Never were his prudence, his conduct, his valour, and his perseverance, more necessary for the welfare of his kingdom. The ambition of Edward III. renewed the pretensions of his grandfather in defiance of a solemn treaty, and in contempt of two acts of parliament. Pretences are never wanting at the call of duplicity. A new war, which was more bloody and wasteful than the former, commenced in 1332, and did not end till 1357. In 1332, appeared at Roxburgh, Edward Baliol, the pretender to the Scottish crown. Here he surrendered the independence of Scotland to Edward III. as his liege lord. He engaged to put the English king in possession of Berwick, its town, castle, and territory, with other lands on the March (*h*). After some disasters, he even made preparations for besieging Berwick. InMarch 1333, Baliol came before this important place. Edward III. arrived soon after with his more potent army. The castle of Berwick was defended by Patrick Earl of March, and the town by Sir William Keith. Without relief their gallant efforts had been fruitless. At length the regent, Archibald Douglas, appeared near the town with a considerable army. Without success he tried to relieve the besieged. He attempted a diversion in England. When that enterprize also failed, he resolved on a decisive conflict. His object was to drive the English army from Halidon-hill, lying within Berwick-bounds (*i*). But the most gallant efforts of the Scottish army were unavailing. The regent was mortally wounded in the moment of his grievous defeat. The town and castle immediately surrendered; and Berwickshire and Lothian were overrun

(*g*) There is a copy of this treaty in the MS. paper-office, which was sent to the Register House at Edinburgh. Robertson's Index, 101-2. Berwick-upon-Tweed is more than once emphatically mentioned in the treaty of Northampton, whereby it remained to Scotland after so many conflicts.

(*h*) Rym., iv., 536-9.

(*i*) The site of this important battle is distinctly marked in Armstrong's Map of Berwickshire.

and wasted by the English army under Edward III. In February 1334, the town, castle, and county of Berwick were, by Baliol and his parliament, annexed to England for ever (*k*). Edward III. took the Earl of Dunbar into his protection; and gave him a distinguished command on the borders (*l*). Yet did he revolt in the subsequent year, when he saw his own ruin involved in the degradation of his country. From that sad epoch few events of any importance occurred in Berwickshire for many years (*m*).

In August 1355, the Northumbrians made at length an inroad into the Merse. The Earl of Dunbar retaliated by sending Sir William Ramsay into Northumberland, which he equally wasted. Sir Thomas Gray, the governor, sallied out to chastise the spoilers. Ramsay, with great artifice, made an insidious retreat, while Gray, imprudently following him across the Tweed, fell into the ambush which that crafty commander had laid for him. Gray tried by efforts of valour to break the toils wherein he had fallen; but he was taken, while few of his party escaped unhurt from Nisbet field. Berwick-town was soon after taken by assault; the Earl of Angus having scaled the walls from the sea, while the Earl of Dunbar attacked it by land. The inhabitants flying to the castle, left to pillage their town which had become opulent by twenty years tranquility (*n*). But Edward III. hastened himself to retake this important place, which surrendered on the 13th of January 1355-6 (*o*). Milder scenes soon succeeded. David Bruce, who had been a prisoner since the battle of Durham, in 1346, was conveyed, in August 1357, to Berwick, where commissioners were negotiating a peace (*p*). This treaty was concluded at the frequent scene of so many truces, on the 3rd of October 1357 (*q*); David was now released for a ransom of a hundred thousand marks sterling, which were payable by yearly instalments of ten thousand marks; and Scotland was to enjoy a

(*k*) Rym., iv., 590-94. The people of the town and of the adjacent country now swore fealty to Edward III. The monks of Coldingham, Eccles, Kelso, Melrose, and others, followed their overpowering example. Ayloffe, 143. The English king now exercised over the town and county of Berwick every act of sovereignty. He invited merchants to settle here, and he built several new mills. Ib., 146-49.

(*l*) Patrick, Earl of Dunbar, sat in Baliol's parliament at Edinburgh in 1333, which transferred Berwickshire, with the town and castle to the English king for ever. Ib., 591.

(*m*) In 1336, there were tournaments held at Berwick, where the English and the Scottish barons equally showed their prowess. Lord Hailes' An., ii., 272-3. In 1341, Edward III. kept his Easter at Berwick, where he held a tournament, in which two Scottish and one English knight were slain. Bord. Hist., 332.

(*n*) Lord Hailes' An., ii., 233.

(*o*) Ib., 234; Rym., vi., 12

(*p*) Rym., vi., 31.

(*q*) Ib., 46-7.

cessation from war till the ransom should be paid. Thus ended those disastrous hostilities at the end of five and twenty years (*r*).

The nature of the settlement which had thus been extorted naturally promoted ill will and warfare between irascible people. At length on the demise of Edward III. outrages began on the borders of the Merse. A hasty quarrel at a fair was quite sufficient to promote an inroad on either side. After the accession of Richard II. the Earl of Northumberland entered Berwickshire in 1377 and ravaged the lands of the Earl of Dunbar. Commissioners were appointed to settle those hostile disputes. But, in the meantime, the castle of Berwick was surprised in 1378 by seven Scotsmen of desperate fortunes, and being joined by some similar persons from an unsettled frontier, they retained this fortlet till they were assaulted by the Earl of Northumberland at the head of ten thousand men. This potent baron ravaged the Merse till he was successfully opposed by the Earl of Douglas. Commissioners met successively at Berwick, at Ayton, and other places, to hear complaints and to promote quiet betwen two feeble governments, while there were on either side of *the border* so many men who wished for strife and hoped for plunder. A truce which was made at Ayton in 1384 tranquilized the borders awhile. But during this truce the castle of Berwick was again seized by the Scots in December, 1384, who obtained their object by insidiousness rather than by valour. The Earl of Northumberland, however, soon regained this treacherous castle by similar means. Amidst all those frequent hostilities and subsequent truces, the English at the end of 1386 appear to have possessed some part of Berwickshire, the result of the feebleness of the English as much as of the Scottish government. Those petty hostilities, which were wasteful and vexatious beyond conception, were without any effects that could justify such odious means.

The wretched period of eighty-five years, which ended with the death of Richard III. and with the assassination of James III., was extremely disastrous to Berwickshire. It began with the nine years revolt and hostilities of the Earl

(*r*) We may judge of its wastefulness from the following statement. The old extent of the lands of Berwickshire, before the war began, amounted to £622 2s. 4d. The new extent, after it ended, was £372 17s. 3d; and the difference evinces what must have been the devastations of that long course of hostilities. In 1368, there was an act of parliament made at Perth, *De quatuor Burgorum*, enacting that, as the two burghs of Berwick and Roxburgh were detained by their adversaries of England, Lanark and Linlithgow should be accepted in their place, to hold the chamberlain's courts at Haddington. MS. Paper Office.

of Dunbar, and ended with the insidiousness and treaty by which the Duke of Albany relinquished Berwick-town for ever to England (*s*).

In the long period of two and sixty years which elapsed from the accession of Henry VII. in 1485, during the reign of James III. to the death of Henry VIII. in 1547, in the childhood of Mary Stewart, events happened in Berwickshire which were disastrous and wasteful. This period opened with a three years' truce, which ended by the intrigue of Henry VII. to obtain, by the baseness of corruption, the person of James IV., who was destined to be soon his son-in-law and the father of a new race of kings (*t*). Henry VIII., after inflicting many a wound on Berwickshire and on southern Scotland, left his odious courtship of Mary Stewart to be prosecuted by his son, Edward VI., a younger lover but a more wasteful invader of his mistress' kingdom. The councils of Edward VI. endeavoured to obtain by ravage, what they wanted address to gain by management. The passions which prevailed in the English court during the reign of Edward VI. continued during the life of Mary, his successor, who had an indifferent husband to please. To the political malignity of Elizabeth was added personal rivalry to Mary Stewart. The old infelicity of Scotland in having an infant for her sovereign, and the wretchedness of regents for their governors, continued to distract and debilitate an unhappy land. To the

(*s*) In 1402, the Earl of Dunbar made an inroad into the Merse, and defeated at East-Nisbet the youth of Lothian, with Hepburn at their head. He took Fast Castle, which was soon after surprised by the Scots, and afterwards surrendered to Sir William Dury. In 1409, the Earl of Dunbar returned to his country, was pardoned, had his estates restored, all except Lochmaben and Annandale, which were given to Douglas. In 1417 and 1419, Umfraville, the governor of Berwick, burnt the East March, Lauder, with Lauderdale, the forests which extended far into the country from Berwick, and he even extended his ravages to Selkirk and Dunbar. In 1424, James I. was set at liberty, and assassinated in 1437. The borders of the two hostile kingdoms remained pretty quiet during his salutary reign. In 1456, an inroad was made into the Merse by the expatriated Douglas with the Earl of Northumberland; and, as they were unsuccessfully opposed by the Earl of Angus and Sir James Hamilton, the country was plundered. In 1461, the town and castle of Berwick were amicably surrendered to the Scots by Henry VI., who found an asylum in Scotland. In 1464, the town of Berwick was taken by the Earl of Warwick, who laid waste the neighbouring country. In 1480, the English besieged the castle of Berwick. Both those desirable objects were obtained by the English in 1482, which had been in the hands of the Scots since 1461. For all those events, which were either injurious or disgraceful to Berwickshire, the Border History may be inspected.

(*t*) On the 17th April, 1491, Lord Bothwell and Sir Thomas Todd engaged, for £166 13s. 4d., to deliver to Henry VII. the young king of Scots. Ayloffe's Cal., 313. Lord Bothwell, who thus received the wages of corruption, was Ramsay, the favourite of James III., and not Hepburn, his successor, in the title of Bothwell.

profligacy of the nobles and the divisions among the people, were added the savageness of zealots, who were, by Elizabeth, made the principal instruments in distressing the government and wasting Berwickshire and southern Scotland. Her rivalry and her rage were at length appeased by the blood of Mary Stewart. Meanwhile Berwickshire endured every evil which can afflict a people from the guilty passions of the neighbour sovereigns, more than from the usual distractions of the Scottish regencies.

After a thousand intrigues King James became Elizabeth's pensioner, and his regents her instruments. Yet were not the contiguous borders of the two kingdoms altogether tranquil, nor were the Scottish people free from disquiet. In 1567, the principal gentlemen of the Merse were summoned to Edinburgh, to advise how to preserve peace and administer justice in Berwickshire (*a*). But a wretched people did not want law so much as manners. King James, on his deliberate course to a quiet throne, entered Berwick upon the 27th of March 1603. In pursuit of his object to tranquilise the contiguous limits of his two kingdoms, which had been so long involved in waste and wretchedness, James ordered all strengths on those borders, except gentlemen's houses, to be destroyed, thus completing by system what had been begun by warfare (*b*).

After this full detail of the events which had long ruined Berwickshire, let us return awhile to the towns within the same county. Berwick, after so many changes, returned to its ancient allegiance, under Robert Bruce, in 1318, as we have seen. On that occasion Berwick town again became an important part of North-Britain. That great prince marked the importance which he annexed to its acquisition by strengthening its defences, and residing within its castle ; and he seems to have supposed, by the annuities which he granted out of the revenues of the town, that his posterity would enjoy it for ever (*c*). After various conflicts, which were fought by valorous barons, Berwick town

(*a*) See their names in the Border History, 626.

(*b*) Border Hist., 626-36-7 ; 702-3, 706.

(*c*) In 1325, Robert Bruce granted to the monks of Aberbrothock, a *hostilage* in Berwick. Chart. Arbroath, No. 201. He conferred on the monks of Newbotle ten merks of silver out of the firm of Berwick. He granted to the monks of Melrose £100 sterling, yearly ; to be received of the firm of his burgh of Berwick, or out of the *new customs* within the same burgh, if the firm thereof should be insufficient to pay this annuity. MS. Diplom. Scotiæ. Among the Scottish records which were returned by Edward I., in 1296, there were several rolls respecting the accounts of the *new customs* of Berwick, and one roll with regard to the collection of the customs on wool at Berwick. Robertson's Index, Introd., xix. The Setons, who were connected by marriage with Bruce, seem to have been hereditary governors of Berwick, and as such enjoyed the firms thereof. Nisbet's Heraldry, i. 237.

and castle were often lost and regained, as we have perceived in our course. In 1482, they were finally ceded, by the treasonous intrigue of the Duke of Albany, and never recovered by design or accident. The English now regarded Berwick as their own (*d*). It was made the eastern mart of the Scottish trade by Edward IV.; as it was by nature the issue of the products which the countries on the Tweed and Teviot could spare (*e*). In 1551, Berwick was made a *free town*, independent of both England and Scotland (*f*). As King James was received with the warmest gratulations by the people of Berwick, he seems to have been equally studious to confirm to them their old privileges (*g*).

Lauder and its territory, when they ceased by forfeiture to be the property of the Baliols, became, by grant, the estate of Sir James Douglas, as we have seen (*h*). Lauder now followed the fortunes of that ambitious family, whether happy or unfortunate. When the overbearing Douglases were forfeited, Lauder was transferred to the Earls of Angus, who succeeded them also in their practice of domination. At the accession of Robert II., the first of the Stewarts, Lauder was a regality within the constabulary of Lauder (*i*). At length this town was created a free burgh, in December 1502, by a charter of James IV., to be holden of the king and his successors in free burgage for ever (*k*). There is a custom here, which, as it is peculiar, merits some notice. The king having of old conveyed 105 acres to 105 persons, thereby made 105 burgesses; with this condition annexed to their burgage tenure, that there never should be more burgesses than there are burgess acres (*l*). This town has always been inconsiderable in the numbers of its people, and in their means of livelihood.

(*d*) In Ayloffe's Calendar there are various documents with regard to Berwick; to the burgesses of Berwick and their liberties; to the chamberlain of Berwick; to the chancellor of Berwick; to the constable of the castle; and to the religious houses. See the Index in Art.

(*e*) 22 Edw. IV., ch. 8. By this law all merchandizes brought from Scotland were to pay customs at Berwick. The fishery there was confirmed to the freemen.

(*f*) Rym., xv. 265. (*g*) By 1 Ja. I., ch. 28. (*h*) Robertson's Index, 10.

(*i*) Robertson's Index, 93.

(*k*) A copy of this charter remains in the Advocates' Library at Edinburgh; and it was confirmed by an Act of Parliament, dated the 28th of June, 1633. The corporation consists of seventeen members, namely, of fifteen councillors and two bailies. The whole revenue of this corporation, as returned to Parliament in 1788, was only £85 a-year.

(*l*) For this custom of Lauder, which seems to have been sustained by the Court of Session in 1663, see Hope's Minor Practicks, 325.

Lauder is the seat of a presbytery (*m*); and in June, 1640, an act passed for giving to Lauder a yearly fair on the 22nd of July (*n*). With the four other burghs of Jedburgh, Haddington, Dunbar, and North-Berwick, Lauder sends one representative to the parliament of Great-Britain.

After Berwick had ceased to belong to North-Britain in 1482, this shire had no settled county town; and Duns sometimes, and Lauder often, but Greenlaw never, were used as the shire towns (*o*). Next to Berwick and Lauder, Duns was probably in this shire the largest town. After the deaths of the great Earl of Moray and his sons, it became the property, if Duns were not already the estate of the Earl of March, who had married the daughter of the one, and the sister of the other; and from the forfeiture of the Earl of Dunbar it was invested in the crown (*p*). Duns was made a burgh of barony, and at length the shire town in 1661 (*q*); and continued as such till 1696, when that pre-eminence was restored to Greenlaw (*r*). This town, as we have seen, was still the estate of Lord Home when he died, and was forfeited in October, 1516. Before the year 1596 Greenlaw had become the property of Sir George Home of Spot, whose right was then confirmed by King James's charter, which declared its fitness to be the shire town. This charter was ratified by parliament in November 1600 (*s*). During the anarchial age that followed at the end of

(*m*) To the tax of the year 1556, amounting on the whole royal burghs to £10,102 8s. 2d., Lauder paid £67 10s., in the same rank with Rothesay, Ruglen, Selkirk, Peebles, Dunbar, Banff, and Kirkaldy, which, with the same inconsiderable means, contributed to the same tax. Of the additional supply, amounting to £72,000 Scots, which was granted by the estates on the 23rd of January, 1667, for a twelve-month, payable monthly, Berwickshire was rated at £2813 1s. Scots, according to the valuation of 1660; and Lauder was assessed at £42, the magistrates choosing a *stentmaster*. Glendook's Acts. Of the supply granted by the estates on the 10th of July, 1678, amounting to £1,800,000 Scots in five years, Berwickshire was to pay £2813 1s. Scots monthly; and Lauder £36 monthly; and to the monthly *cess* of 1695, Lauder paid £30.

(*n*) Unprinted Act of that session. (*o*) Parl. Rec., 301-10; 688-9-10.

(*p*) On the 12th of December, 1494, there was produced to the auditors in Parliament a charter of George Earl of Dunbar, to Hucheon Adamson, of the lands of Little Borthryk, with the pertinents in Duns; and another grant by Patrick Earl of March, of two oxgangs of land, with a croft lying in Duns, providing that Hucheon and his heirs should pay *multure* to the mill of Duns, of the corns raised on those oxgangs of land. Parl. Rec., 447; and there was then depending in Parliament an action of David Lyle of Stonypeth against various *free tenants* of Duns, for withholding their *multure* from the mill of Duns, which belonged to the said David, in *feu farm*, for certain rent owing to the king. Ib., 447.

(*q*) An Act in favour of the town of Duns. Glendook's Acts, 103.

(*r*) An Act, 2 Sess. 2 Parl., ch. ii., concerning the execution of legal process at Lauder and Duns. On the 4th of September, 1672, the Parliament directed that a correction house for Berwickshire should be erected at Duns. 2 Parl., ch. ii., Sess. 3, No. 18.

(*s*) Unprinted Act. No. 26.

forty years, the rights of Home of Spot seem to have been overpowered by greater interests; and it was not till *the Revolution* restored Sir Patrick Home of Polworth to his appropriate sway, that those special privileges of Greenlaw were properly respected, as they had been acquired by him from the late proprietor; and in October, 1696, the parliament declared the town of *Greenlaw* to be the *head burgh* of the shire of Berwick, which it still continues notwithstanding some dissatisfaction (*t*). Polworth was made a baronial burgh in 1587 (*u*). Eccles was erected into a burgh of barony in 1647, on the resignation of George Home of Kames, and it was re-granted to John Home of Eccles in 1679 (*x*). Eyemouth is also a burgh of barony (*y*). There are some other baronial burghs in Berwickshire, perhaps, but they have not many people, much opulence, nor any importance.

From *the places* of Berwickshire, which, with the exception of Berwick town, were never of much consequence as we have just seen, let us advert to *the earls* who are mentioned emphatically by Camden as highly renowned for martial prowess (*z*). They were descended from Gospatrick, the expatriated Earl of Northumberland, who fled to Scotland from the wrath of *the conqueror*, and obtained from Malcolm Canmore, Dunbar, and many fair lands in the Merse and Lothian (*a*). His posterity also possessed in Northumberland the barony of Bengeley (*b*), "on the service of being *in-borough* and *out-borough* between England and Scotland," saith Camden: "What these terms should mean," continues he, "let others guess." Cowell has *guessed* those terms to have meant that the earls of Dunbar were bound to observe the ingress and regress of those who travelled to and fro between the two realms (*c*). *Borough*, in old English, we may remember signified a surety,

(*t*) 1696, Act, ch. 16. In April, 1697, Lord Polworth, when he was created Earl of Marchmont, was also made Lord *Greenlaw*.

(*u*) Private Act, 1587, No. 70.

(*x*) MS. War^{t} Book in the Paper Office. On the 24th of June, 1609, indeed there was an act confirming *Eccles* to Sir George Home. Unprinted Act of that date.

(*y*) Stat. Acco., ii. 112. (*z*) Holland's Camden, Scotia, 11.

(*a*) Id. Gospatrick, the first Earl, emigrated to Scotland in 1072, A.D., as we learn from Simeon and Hoveden.

(*b*) Dug. Bar., i. 54. When he died is uncertain; but he undoubtedly left three sons, Gospatrick, Dolphin, and Waldef, who appear in the *Inquisitio Davidis*, 1116, A.D., and partook something of his importance, whatever they may have enjoyed of his property.

(*c*) Interpreter, in vo. Inborh; but it was impossible for those earls to examine the passports of those who travelled between the borders. The inquest mentioned by Camden may be seen in Wallis's Hist. Northumb., ii. 493. Comes Patrick tenet baroniam de Beneley *per servicium inborwe* et *outborwe*. Testa de Nevil, 385.

or pledge; and the verb *to borrow* meant to bail, to redeem, to relieve (*c*). The first Earl Gospatrick died towards the conclusion of the eleventh century; and was buried in the church of Norham on the border, which his posterity were bound to secure.

(2.) He was immediately succeeded in Scotland by his eldest son, Gospatrick; his other two sons were provided for in Cumberland (*d*). The second Gospatrick, as an eminent person and a *comes*, witnessed the charters of the Scottish kings; and as an opulent and liberal man, he gave lands and a church to St. Cuthbert's monks of Durham (*e*). This great earl died in 1139 (*f*).

(3.) He was succeeded by his son, Gospatrick, who confirmed his father's liberalities and added his own, in the presence of his *chaplain* and his *dapifer* (*g*). He died about the year 1147; but as he did not endow the monks of Melrose, they seem to have withheld the immortality that the notice of their chronicle was supposed to confer.

(4.) The *third* Gospatrick was succeeded by his son, Gospatrick, who was still more liberal than his progenitors in granting lands and churches, and in founding, with the concurrence of his countess, Derder, convents at Coldstream

(*c*) See the Glossary to the late edit. of the Poet. Works of Sir David Lindsay. Those terms were very common in diplomatic proceedings on the borders at the end of the fourteenth century. See the Indenture of the Commissaries on the 2nd of October, 1397, at the Abbey of Dunfermline. The parties accused of the breaches of the truce were obliged "to find *borowis* to appear; the prisoners were to be lettin to *borgh*." Rym. viii. 18. Again, the convention of a truce at Hawdenstank, on the 26th of October, 1398, provided that, "al prisoners that ar latten to *borgh*, and al men that are *borowis*, for payment of rannsoms, sall be freely dischargit." Ib., 55. Again, at Clochmabanstane, on the 6th November, 1398, "Sire Williame Stewart of Castelmylke, and others, were appointed *borowis* of the west marche of Scotland." Ib., 59. In the Testa de Nevill, 385, we may see that, "Patricius com. de Dunbar tenet in cap. de dom. rege Beneley," &c. "Et pro aliis villis idem comes est *inborwe* et *outborwe* inter Angliam et Scotiam." The literal translation and meaning of these last expressions are: and for the other villages the same earl is *in-borow* and *out-borow* between England and Scotland; he held the other towns by the tenure of being surety for the peace of both the kingdoms *within* the border and *without*. In after times this became a task which the two kings of the contiguous realms were scarcely able to perform.

(*d*) Caledonia, i. 499.

(*e*) Chart. Coldingham; Smith's Bede, App.; Chart. Kelso, No. 4; Diplom. Scotiæ, pl. 71; Maitland's Edin., 145.

(*f*) Chart. Colding., 2; Dougl. Peer, 438.

(*g*) Chart. Colding., 11; Chart. Kelso, No. 287.

and Eccles in the Merse. This munificent earl, the fourth Gospatrick, died in 1166, leaving two sons, Waldeve and Patrick (*h*).

(5.) Waldeve succeeded his father in 1166. He confirmed his donations to the monks of Kelso, and gave them two vileyns, Halden and his brother William, with their issue ; and he confirmed the grants of his father and mother to the nuns of Coldstream (*i*). He married Alina, who died in September 1179, and by whom he had several children (*k*). Waldeve had the honour to be one of the hostages for the performance of the treaty which, in 1174, restored William the Lion to his kingdom (*l*) ; and Waldeve died in 1182, leaving by his wife Alina several children (*m*).

(6.) Patrick, the *first* of this name, thus succeeded his father in 1182. William the Lion gave him, in 1184, Ada, one of his natural daughters, in marriage (*n*). He confirmed the pious donations of his opulent predecessors, and added his own (*o*). In his baronial court, he decided controversies as to the property of vassals which was held under him in the territory of Hailes (*p*). At the end of the twelfth century, Earl Patrick was justiciary of Lothian, and

(*h*) Chron. Melrose, 73. His son, Waldeve, succeeded him ; his son, Patrick, inherited the manor of Greenlaw ; and leaving a son, William, who married Ada, that had *Home* for her dower, the foundation of the house of Home was thereby laid.

(*i*) Chart. Kelso, 72-303-127 ; Chart. Coldstream ; Dougl. Peer., 439.

(*k*) Chron. Melrose, 174 ; Dougl. Peer., 439, who mistakingly supposes that she outlived her husband.

(*l*) Rym., i. 39.

(*m*) 1182, ob. Waldevus comes de Dunbar ; cui successit Patricius filius ejus. Chron. Melrose, 175 ; Dougl. Peer., 439.

(*n*) Chron. Mel., 176.

(*o*) Chart. Coldstream ; Dougl. Peer., 439. Patrick also granted to the monks of Kelso the chapel of Halyburton, with some lands adjacent ; a carucate of land in Bothkilsheales, with common of pasture between that place and the *Scalingas* of his men of Pinkerton. Chart. Kelso, 71. I have already explained the *Scalingas, Scheales,* and *Shealings,* to mean the same thing ; a mountain pasture ; the herdmen's huts ; and secondarily a helmet : hence so many names of places in Northumberland, the Merse, and Lothian, ending in *Sheales.* He confirmed various grants by his vassals to the monks of Newbotle. Chart. Newbotle, 83-87-100-22. He gave to the monks of Melrose all his arable land of Sorowlessfield, on the Leader, which William Sorowles had held. Chart. Melrose, 63. With those monks he had a dispute about the pasture on the west side of the Leader, which was amicably settled in the presence of the king, sitting in his court at Selkirk. Ib., 140. He made a perambulation of the boundaries between his lands of Ercildoun and the grange of Cadesley, which belonged to the monks of Dryburgh. Chart. Dryburgh, 80. He gave to the canons of Dryburgh the lands of Elvinsley, and two bovates of land in Ercildoun. Ib., 82. He was liberal to his vassals. Chart. Kelso, 130.

(*p*) Chart. Newbotle, 101-2.

keeper of Berwick (*p*). In 1200, he was at Lincoln with King William, when the Scottish sovereign did homage to King John for his lands in England (*q*). In this year he lost his wife, Ada, the pious foundress of several convents (*r*). In June 1221, this aged earl attended Alexander II. to York, where he witnessed the king's marriage with Joan, the eldest daughter of King John (*s*). In 1232, died Patrick, the Earl of Dunbar, when he had enjoyed his earldom fifty years. After spending the festivities of Christmas with his children and neighbours, he sent for his relation and friend, the abbot of Melrose; and receiving from him extreme unction, with the religious habit, he quietly expired, at the extremity of an honourable life. He was buried in the church of the convent of *Eccles*, which his grandfather, Gospatrick, had founded (*t*). By his countess Ada, he left two sons, Patrick and William, who appear as witnesses to his charters; and a daughter, Ada, who was destined to be the mother of the Homes (*u*).

(*p*) In 1199, when the bridge at Berwick was carried away by a flood, King William directed a precept to Earl Patrick, his *custos* of Berwick, and one of his justiciaries, to rebuild it. Philip, the bishop of Durham, on whose lands one abutment of this bridge stood, obstructed the re-establishment of it; but the prudence of Earl Patrick overcame the obstinacy of the bishop. Hoveden, 796.

(*q*) Ib., 811. The English historian calls him Patricius, comes de *Lonais*. Fordun denominates him Patrick, comes de *Laodensi*, l. viii., c. 33. He is, indeed, said to have been the first Earl of Dunbar, who was *Comes Marchiæ*.

(*r*) Fordun, l. viii., c. 61, states the death of Ada, the king's daughter, and Marjory, her sister, in 1200 A.D. The countess Ada founded a convent for Cistercian nuns at St. Bothans in Lammermuir. Spottiswoode's Acco. of Religious Houses, 511; Dougl. Peer., 439.

(*s*) Rym. i., 252. And Earl Patric, which he is simply called in the record, also witnessed her endowment by Alexander, on the 18th June, 1221.

(*t*) Chron. Mel., 201.

(*u*) Ada first married a gentleman of the name of de Courteney, and obtained from her father the lands of *Home*, "in liberum maritagium;" but Courteney dying without issue, she secondly married her own cousin, William, the son of Patrick of Greenlaw, who was the second son of the fourth Gospatrick. William, the husband of Ada, assumed the name of *Home*, and, from this marriage, sprung the border clan of the *Homes*. Douglas, the genealogist, indeed, assigns to the venerable Patrick an elder son Galfrid, whom the Peerage writer marries to Jean, the eldest daughter of King John. He quotes Rymer, who, indeed, has printed the marriage contract of H., the Earl of March on the continent; and to make out his point, Douglas only interpolates P. instead of the H. in the record. William, the second son of Earl Patrick, obtained from his father the manor of Fogo in the Merse; and he married Christian Corbet, the opulent heiress of Walter Corbet of Makerstoun in Roxburghshire. Christian died in 1241, and William, her husband, in 1253. They left two sons, Nicholas, who enjoyed Makerston, and Patrick, who possessed Foghou. [Fogo].

(7.) That venerable baron was succeeded by his son Patrick the *second*, who must have been at this epoch of the age of forty-six ; and who was recorded by the chronicler of Melrose, as a strenuous knight and the king's nephew. In his several charters of confirmation, he calls himself the son and heir of Patrick, the Earl of Dunbar. In granting an annuity of a mark of silver to the canons of Dryburgh for supporting their church, he avows his motives to be the safety of the soul of his king, William the Lion, of his father and mother, and of his own wife (*x*). After his father's death the *second* Patrick granted to the canons of Dryburgh a messuage in *his burgh of Dunbar* (*y*). To the monks of Melrose, he renounced his claim to some disputed marches between his lands and theirs in Lower-Lauderdale (*z*). In 1235, he commanded the army, which was sent against the bastard of Galloway with his Irish followers, whom he compelled to submit (*a*). In 1237, Earl Patrick witnessed the treaty which Alexander II. made, at York, with the English king (*b*). When the Bissets murdered the Earl of Athol, at Haddington, in 1242, the Earl of Dunbar, the most powerful baron of the southern districts, put himself at the head of the nobles, who demanded justice (*c*). He was one of those, who guaranteed the treaty with England, in 1244 (*d*) ; and, going on the crusade, with Louis IX., Patrick, the Earl of Dunbar, died, at the siege of Damietta, in 1248 (*e*). Douglas, the genealogist, marries this second Patrick to *Christian*, the daughter of Walter, the Stewart, who died, in 1241 (*f*).

(*x*) Chart. Newbotle ; Chart. Melrose ; and Chart. Dryb., 84. From this last chartulary, we may observe that the second Patrick had married before the demise of William the Lion in 1214. Of this king, he was only a nephew, by a bastard daughter, and yet it was from the bastard Ada, that his grandson Patrick claimed the crown in 1291.

(*y*) Chart. Dryb., 86.

(*z*) Chart. Mel., 141. In 1247, he sold to the same monks his *equicium* or stud, which he had in Lauderdale on the Leader-haughs. Ib., 145. This sale must have been intended to raise money, for defraying the journey to the Holy Land of this very opulent baron, who there met his destiny.

(*a*) Lord Hailes' An., i., 152. (*b*) Rym., i., 377. (*c*) Lord Hailes' An., i., 157.

(*d*) Rym., i., 428. (*e*) Chron. Mel., 218-19 ; Ford., l. ix., c. 62-3.

(*f*) Peerage, 440, which quotes Duncan Stewart's Hist. of the Stewarts, 49 ; but her name was *Euphemia*, as her own charter testifies. The earl had with her in marriage the lands of Birkenside in Lower Lauderdale, which had been granted to the first Stewart by Malcolm IV. It was from the firm of those lands, that the Earl, her husband, granted an annuity to the canons of Dryburgh. After her husband's death, "Domina *Euphemia* comitissa sponse quondum Patricii com. de Dunbar nunc in sua viduitate existen.," confirmed to those canons the same annuity, "e firmis terrarum mearum matrimonalium de Birkenside." Chart. Dryb., No. 85, and see a charter of confirmation by Robert II. Robertson's Index, 93.

(8.) The *third* Patrick succeeded his father in 1248 at the age of thirty-five, who had then a son five years old (*g*). He soon became one of the English faction, which, under Henry III., contended with the Scottish party, for the rule of Scotland during the turbulent minority of Alexander III. In August, 1255, the Earl of Dunbar and other partisans of England were formally received into the protection of Henry III. (*h*). While the Cumyns and the Scottish faction were preparing to hold a parliament at Stirling, the Earl of Dunbar, Alan Durward, and others, surprised the castle of Edinburgh, and obtained possession of the young king and more infant queen (*i*). When Henry III. and the Scottish king soon after met at Roxburgh, the Scottish party were removed from the king's councils, a regency being then formed of which the Earl of Dunbar was a conspicuous member (*k*). This regency, however, was dissolved in 1257, when the Cumyn party obtained complete possession of the king and queen. A sort of coalition took place in 1258, and a more mixed regency was formed in which the Earl of Dunbar does not appear (*l*). Yet was he one of those Scottish nobles who demanded and received security in 1260, from Henry III., to deliver the Scottish queen, and the infant of whom she might be delivered, at her father's court (*m*). In 1263 the earl led his warlike vassals to the battle of Largs, where he commanded the left division of the Scottish army, while the Stewart commanded the right. They obtained a complete victory over the invading Haco and his adventurous Norwegians (*n*). The Earl of Dunbar had the honour to append his seal to the treaty which was signed at Perth on the 6th of July, 1266, between Alexander III. and Magnus of Norway, for ceding to the Scottish king the Isle of Man and the Hebrides (*o*). The Earl of Dunbar, with Patrick, his son, who was now thirty-eight, witnessed the marriage-contract of Margaret, the king's daughter, with Eric of Norway, which was made at Roxburgh on the 25th July, 1281 (*p*). The earl was at

(*g*) Chron. Mel., 219. In 1249, Earl Patrick did homage for his lands in England, to Henry III. Calendar Rot. Pat., 23.

(*h*) Rym., i., 559. (*i*) Chron. Mel., 220.

(*k*) Rym., i., 566. On the 21st September, 1255, the Earl of Dunbar and the English partisans were again taken into the protection of Henry III. Ib., 567. On the formation of this regency, Patrick, Earl of Dunbar, swore *upon the soul of the young king of Scots*, that he would perform his engagements to the English king and to the Scottish regency. Ib., 566.

(*l*) Ib., 670.

(*m*) Rym., i., 715. "1260, nata est, in Anglia, primogenita regis Scotiæ, nomine Margareta." Chron. Mel., 223. This Margaret was afterwards the queen of Norway, and the mother of Margaret, the famous *maiden of Norway*.

(*n*) Dougl. Peer., 440. (*o*) Robertson's Index, 101. (*p*) Rym., ii., 1082-3.

length to enter upon less joyous scenes. He was one of the *Magnates Scotiæ* who were required by Alexander III. to recognise, at Scone, in February 1284, the Maiden of Norway as his successor to the Scottish crown (*q*). When the lamented death of Alexander III. happened on the 16th of March 1285-6, the various claimants of his "blessed crown" hastened to assert their several titles. Patrick, the Earl of Dunbar, with his three sons, Patrick, John, and Alexander, associated on the 20th September 1286 with the competitor Bruce, whose daughter he had married, to support him who should gain the kingdom by right of blood from the deceased Alexander (*r*). If the *third* Patrick Earl of Dunbar were thirty-five when he succeeded his father in 1248, it was now time for him, at the age of seventy-three, to think more of repose than of struggle; and he died, as we know from record, in December 1289, leaving his earldom, which he had held one and forty years, and his lands in Northumberland to his son, the *fourth* Patrick (*s*).

(9) The *fourth* Patrick now succeeded his father in December 1289, at the ripe age of forty-seven. He was thus called into action at a moment of great struggle. He appeared in the great parliament which was assembled at Brigham in March 1290, for betrothing the princess Margaret to the son of Edward I. (*a*). After her sad demise he again appeared at Upsettlington on the 2nd of January 1291, as one of the competitors for the Scottish crown (*b*). In Berwick castle

(*q*) Rym., iii., 266. (*r*) Symson's Hist Stewart Family, 78.

(*s*) Inquisitio post Mortem; 18 Ed. i., No. 22. He married Christian, the daughter of Robert Bruce of Annandale, some time before the year 1243, when his eldest son was born. Douglas, in his Peerage, 440, has interpolated into the genealogy of the Earls of Dunbar, between Patrick, who died in 1248, and Patrick, who thus died in 1289, another Patrick, No 10 of his series, whom he has married to one Cecilia, the daughter of John de Wer. It was the *fourth* Patrick who claimed the crown in 1291, from his father Patrick, his grandfather Patrick, and his great-grandfather Patrick, who married Ada, the bastard daughter of William the Lion, in 1184. Rym. ii., 575. This is an additional evidence of Douglas's interpolation. Rymer mistakingly calls the lady *Ilda* for *Ada*.

(*a*) Ib., 470.

(*b*) Ib., 546. He is called in the record "Comes de Marchia." On the 3rd of June, 1291, he was present at Norham, under the same designation. Ib., 548-50. These are the first instances wherein the Earls of Dunbar were called *Comites Marchiæ* in any record or document of that age. In the proceedings relative to the competition, the Earl is designed Patrick de Dunbar, *Counte de la Marche*. Ib., 531-2. He was one of the nominees for Bruce, the competitor, his grandfather. Ib., 555; and Patrick de Dombar, "Comes de Marchia," swore fealty with other nobles to Edward I., as lord paramount of Scotland, on the 13th of June, 1291. Ib., 558. In the subsequent century, when the treaties between the contiguous kingdoms were for convenience written in plain English, the successors of this Earl were always called "Earls of *the March*." Rymer's Foedera, throughout. They were not, then, Earls of *the Merse*.

on the 3rd of August 1291, the Earl of Dunbar entered a formal claim to the crown, as the great grandson of Ada, the bastard daughter of King William (*c*). After the crown had been awarded to Baliol, the Earl of Dunbar had the mortification to see this dependant king do homage to Edward I. as Lord Paramount, in Norham castle (*d*). This Earl, with the other Scottish nobles, was summoned by Edward, on the 29th June 1294, to attend him on his expedition to Gascony (*e*). But the Earl, as well as those nobles who were summoned with him, eluded the English king's demand, which, as it was new, incited their resistance rather than induced their compliance. Baliol made a secret treaty with France; and the great body of the Scottish people prepared to resist the ambitious dictation of the English king. Yet the Earl of Dunbar now stood aloof from Baliol, whose title he contemned, adhered to his relation Bruce, who entertained hopes that were never gratified, and supported Edward I., whose power he feared; recollecting always the vast estates which he possessed within the borders of the two hostile nations. A mighty revolution had now taken place. The Earls of Dunbar, who as Scottish barons, had hitherto acted great and honourable parts in the varied scenes of their country, were at length obliged to conduct themselves according to the circumstances in which they were placed, sometimes honestly with Scotland, but oftener treacherously with England. When the Scots, after this alliance with France, commenced hostilities with England, in March 1296, the Earl of Dunbar avowed his attachments (*f*). While the Earl of Dunbar thus acted strenuously with the English king, his wife steadily adhered to the Scottish king; retained the castle of Dunbar for his interest; and calling to her aid some of the bravest knights, manfully defended

(*c*) Ib., 575. On the 17th November, 1291, the Earl withdrew his absurd claim, which only shows the lax manners of an unsettled age. Ib., 588.

(*d*) Ib., 591-2. He witnessed the same degrading ceremony at Newcastle. Ib., 594. He was again present at Newcastle, when Baliol renewed his submission on the 2nd January, 1293. Ib. 594. In the same year, Patrick de Dunbar, the Earl of March, appears to have obtained a pardon from Edward I. Ayloffe's Cal., 110.

(*e*) Rym., ii., 643.

(*f*) There is in W. Hemingford, 102, a declaration of allegiance to Edward I. and renunciation of Baliol, dated at Werk the 25th of March, 1296, by the Earl of Dunbar, Umfraville, Earl of Angus, Robert Bruce, the elder, and Robert Bruce, Earl of Carrick, (the competitor having died in 1295). The Bruces and Dunbar speak with a kind of malignant exultation over "John de Balliof, be fut rex "Descoz." In this instructive document, Dunbar calls himself "Patrick counte de la Marche, et de "Dunbar." The English historian says that Earl Patrtck was *vulgarly* called *Counte de la Marche.* W. Hemingford, 94.

her house to the last extremity (*g*). Edward now overran Scotland, and returning southward as a conqueror, he called a parliament of English and Scottish barons at Berwick, on the 28th of August 1296; and here the Earl of Dunbar again swore fealty to Edward, and renounced John Baliol and the French alliance (*h*). The triumph of Edward was of short duration. Wallace came out upon this disastrous stage, in 1297, to retrieve the fallen fortunes of his country. His successes freed the nation for a season. After their defeat at Stirling bridge, the English universally fled for safety to the borders. The Earl of Dunbar opposed himself to the efforts of Wallace, and being summoned by the guardian of Scotland to attend a convention at Perth, the Earl contemptuously refused, calling Wallace the "King of Kyle (*i*)." The Earl was at length considered by Edward I. as one of his courtiers, and when the English king was about to lead his army against Scotland, in October 1298, and called his chief barons to attend him, he directed a letter to Earl Patrick, de la Marche, and to Patrick de Dunbar, his son, who was on that occasion entitled *juvenis* (*k*). In 1304 the Earl was deemed a proper person to assist in the settlement of his country after so many conflicts. But though he was at Perth chosen one of the commissioners to attend the king at London, he declined to act (*l*). The accession of his cousin Robert Bruce to the Scottish throne in 1306, seems to have made no immediate change in the Earl's attachments; being more governed by reasons of policy than affections of kindred. In September 1307, the Earl and others were summoned, by the weakness of Edward II. to lead their vassals into Galloway, when the power of Bruce began to prevail (*m*). He was again summoned, with his youthful son, Patrick, to

(*g*) It surrendered on the 29th of April, 1296, after the Scottish army, which came to its relief, had been defeated under its walls. Ib., 95-7; Lord Hailes' An., i., 237-8; Dougl. Peer., 440, states the countess to have been Marian, the daughter of Duncan, Earl of Fife.

(*h*) Prynne, 652-3. The Earl of Dunbar was, in consequence, received into the king's protection, and his lands and tenements restored to him. Ayloffe, 113-15. W. Hemingford, 94, remarks that the Earl and Countess of Dunbar, when they supported different sides in this momentous struggle, understood each other.

(*i*) See Blind Harry's metrical History of William Wallace, whom the Scottish historians generally follow, but dare not quote. Bk. viii. Blind Harry is, however, supported by the Tower Records. Patrick, Earl of Dunbar, was Edward's captain, "Citra mare Scotiæ," on the south side of the Forth, in November 1297. Calend. Rot. Pat., 59.

(*k*) Maddox's Exchеq., i., 654-5.

(*l*) Ryley, 503. Sir John Monteith was appointed in the Earl's place.

(*m*) Rym., iii., 14. From this document, Douglas, the peerage writer, is so wild as to suppose that the Earl of Dunbar was appointed the keeper of the peace in Cumberland, Westmoreland, and Lancashire. Peerage, 440.

support the falling interests of Edward II., in May 1308 (*n*). But he was relieved by death, in 1309, from seeing his country torn in pieces by hostile competitors for the sovereignty of a nation which was distracted by intrigues, and wasted by war. The *fourth* Patrick, Earl of Dunbar and March, died at the age of sixty-six, leaving by his wife, whoever she were, a son Patrick, who was then at the age of twenty-four (*o*).

(10) The *fifth* Patrick, Earl of Dunbar, was now to enter on the bloody scene of his harassed country, while Edward II. was endeavouring to support the ill-acquired power of his father in North-Britain. The Earl of Dunbar was immediately induced to be one of the sureties for the Earl of Strathearn (*p*). With Sir Adam Gordon, he was appointed by the English partisans in the Merse, who began to feel the progress of Bruce, to complain to Edward II.; but he only praised their fidelity, and promised them relief (*q*). The battle of Bannockburn, in June 1314, decided the present fate of all parties. Edward II. by a hasty flight, sought and found protection within the Earl's castle of Dunbar, whence he was conveyed by sea to Berwick (*r*). The Earl now found it necessary to make his peace with Bruce. Nor was this reconcilement difficult between cousins who had long agreed in hating Baliol, and in supporting the same cause, though they had separated when their interests became somewhat different (*s*). Patrick, Earl of Dunbar, was present at the parliament of Ayr, in 1315, when the succession to the crown was settled on Edward Bruce and his heirs-male (*t*). Yet was he not present at the parliament of Scone, in 1318, when the second settlement of the crown was made, and when the guardians of the kingdom were appointed, in case of the demise of Robert Bruce, leaving an infant son (*u*). The Earl of Dunbar had the merit, however, as we have seen, by his intelligence and efforts to assist in the retaking of Berwick, in March 1318 (*x*). He was at that time sheriff of Lothian. He concurred with other nobles in transmitting to John, the pope, in 1322, that epistle, asserting the independence of their country, which has been noted for

(*n*) Rym., iii., 81.

(*o*) Inquisitio Post Mortem, 2 Ed., ii., n. 8. The inquest is positive that the son and heir of the deceased Earl, was, at that date, only twenty-four. Douglas, besides the interpolation into the series of one Patrick, supposes the *fourth* Patrick to have married Marian, the daughter of the Earl of Fife; and he puts him to death in 1315, when he died quietly in 1309.

(*p*) Ayloffe's Calend., 120. (*q*) Rym., iii., 58. (*r*) Lord Hailes' An., ii., 49.

(*s*) Robert Bruce's grandfather was Robert Bruce, the competitor, by his father's side. The Earl's great-grandfather was the same Robert Bruce by his grandmother. It may be inferred, from the silence of Robertson's Index, that Bruce never granted any of the lands or rights of the Earls of Dunbar, though they had adhered so long to the two Edwards.

(*t*) Anderson's Independence, App. No. 24; Robertson's Index, App. 7.

(*u*) Robertson's Index, App. 9.

(*x*) Barbour's Bruce, iii.; Leland, i., 547; Lord Hailes' An., ii., 77-8.

its energy (*x*). We see nothing of this earl during the ten subsequent years of conflicts and treaties. In 1331, he had a controversy with the bishop of Durham about Western Upsettlington, a dependency of Norham, and a legacy of St. Cuthbert. Whether the bishop or the baron were the most contentious, could not easily be decided. But Edward III., as he disapproved of summoning the bishop to answer in a Scottish parliament, requested David II., from a regard for him, to put an end to such vexations (*y*). The English king, by bringing forward the son of John Baliol as a pretender to the Scottish crown, was preparing a sad retribution. The deaths of Sir James Douglas, in 1330, and of Randolph Earl of Moray, the regent, in 1332, led to other appointments, which were of great importance. Donald, Earl of Mar, the most unfit man in Scotland, was named the regent, in his room; while the Earl of Dunbar was chosen guardian of the southern shires. The Earl of Mar was the king's cousin; the Earl of Dunbar was his second cousin; yet, were they both connected in affections, and interests, with England. The inexperience of Mar allowed himself to be surprised by young Baliol and the English barons, who defeated him at Dupplin. The Earl of Dunbar coming to his aid, shared his misfortune, and dismissed the army, which ought to have retrieved the consequences of the battle lost. The motive of the one Earl was supposed to be inexperience, and of the other to be artifice. The Earl of Dunbar, and Archibald Douglas, made a truce with Baliol, till the 2nd of February 1333, while the infant Bruce was obliged to seek shelter in France, under the trusty care of Sir Malcolm Fleming. In the mean time, the pretender to the crown was inaugurated at Scone, on the 24th of September 1332 (*z*). The Earl of Dunbar, while he thus acted suspiciously, was appointed commander of the castle of Berwick, and Sir William Keith of the town (*a*). They were besieged, in May 1333, by Edward III. The battle of Halidon-hill decided their fate, and the town and castle were surrendered to the English king, who knew their proper value (*b*). The Earl, and his estates, were openly received into the protection of England, while more was promised than ever was performed (*c*). He was even obliged to repair his castle of Dunbar, and to receive an English garrison within its stubborn walls (*d*). The Earl was mean-time appointed with Henry Percy, by Edward III. as joint wardens of the country, lying southward of the Forth, which the English king had received to his peace (*e*). A new

(*x*) Dipl. Scotiæ, pl. li. (*y*) Rym., iv., 467-499.

(*z*) Fordun, l., xiii., c. 24. (*a*) Rym., iv., 564-6: Lord Hailes' An., ii., 163.

(*b*) Rym., iv., 581. It is a fact which may explain some of the mysterious conduct of the Earl of Dunbar, that in 1333, Edward III. promised Patrick, Earl of Dunbar, and Agnes, his wife, a hundred librates of land in England. Calend. Rot. Pat., 118.

(*c*) Rym., iv., 570. (*d*) Bord. Hist., 309. (*e*) Ib., 310.

scene of servility now opened at Edinburgh. The Earl of Dunbar was one of the few Scottish barons who attended Edward Baliol in his disgraceful parliament on the 12th of February 1333-4, at that degraded city; and the Earl assented to the absolute surrender of the town, castle, and county of Berwick, which the pageant Baliol made to Edward III., as a perpetual annexation to the English crown (*f*). This abject servility, however, did not save the Earl of Dunbar from grievous mortifications. The English estates which his family had long held in Northumberland had been taken into the hands of Edward II. in 1309, as escheat, when his father died (*g*). Those estates remained in the crown of England till they were granted by Edward III. to Henry Percy, in 1334, for ever (*h*). Patrick, Earl of Dunbar, at the ripe age of forty-nine, at length renounced his allegiance to Edward III., who was advancing through the Merse, in December 1334, with an overpowering army (*i*). The Earl, thus attaching himself to the fortunes of Bruce and of Scotland, attended the parliament which was called, in April 1335, by the regents, at Dairsie, in Fife (*k*). In July 1335, Edward III. and Baliol advanced with an army, which could not be opposed, to Perth; but the Earl of Dunbar and others found means to cut off a detachment of the English forces on their return southward. He soon after assisted the Earl of Moray in defeating the Count of Namur, on the burgh-moor of Edinburgh, and, in the autumn of this year, the Earl assisted in defeating the English partisan, the Earl of Athol, within the forest of Kilblane in Aberdeenshire. The struggles of a few gallant men against so powerful a prince as Edward III., till they became finally successful, will never be forgotten as an example to be followed. While this Earl was thus struggling for his safety, for Bruce, and for Scotland, he left his wife, the heroic daughter of Randolph, the great Earl of Moray, in charge of his castle of Dunbar. The English, under the Earl of Salisbury, came before it in January 1338. This illustrious woman, who is remembered by the popular name of *Black Agnes*, during nineteen weeks foiled the besiegers. She was relieved by the enterprising skill of Sir Alexander Ramsay, one of the gallantest knights of a military age. In 1339, the Earl of Dunbar assisted the Stewart of Scotland, who now acted as regent, to expel the English from Perth (*l*). In 1340, with the Earl of Sutherland, he even made an inroad into England; but they were repulsed by Thomas de Gray, while they made a useful diversion (*m*). In

(*f*) Rym., iv., 590-4.
(*g*) Calend. Inquis. Post Mortem, 231.
(*h*) Calend. Rot. Pat., 122.
(*i*) W. Hemingford, 314.
(*k*) Fordun, l. xiii., c. 34.
(*l*) Fordun, l. xiii., c. 46.
(*m*) Lord Hailes' An., ii., 206.

1341, David Bruce returned from France at the age of seventeen. At this epoch the castles of Edinburgh, of Jedburgh, of Roxburgh, of Lochmaben, and of *Berwick*, still remained in the English power (*n*). The Earl of Dunbar attended his youthful king as assiduously as a counsellor, as he had before acted daringly as a soldier (*o*). But he could not prevent the rashness of that imprudent prince from making his fatal inroad into England. At the battle of Durham, on the 17th of October 1346, the Earl of Dunbar, with *the Stewart*, commanded the left wing of his army. The issue of this conflict was most disastrous. The king remained a captive for many a year; the nobles were either slain or taken; and the kingdom was almost undone by the sad events of this decisive day. Among other gallant men, Thomas, Earl of Moray, was left upon the bloody field. Agnes, his heroic sister, as he left no issue-male, became the sole possessor of his vast estates (*p*). The Earl of Dunbar now assumed, though without right, the additional title of Earl of Moray (*q*). Edward III. now resented the hostile conduct of the Earl of Dunbar, during many years by granting some of his estates to strangers (*r*). But Edward III., like his grandfather, grasped at too much. A cessation of warfare with Scotland became necessary to his designs on France, and the Earl of Dunbar seems to have busied himself for several years in obtaining either the liberation of the king, or peace for the kingdom; offering his son and heir as a hostage (*s*). A truce of nine years would have been extremely detrimental to France. The French king sent a large sum, in April 1355, to be distributed among the Scottish nobility, "who, according to old Fordun, overlook future inconvenience for the sake of present gain;" and they were thus induced to dissolve the truce with England, and to renew hostilities (*t*). The Earl of Dunbar seems to have

(*n*) Lord Hailes' An., ii., 206.

(*o*) He witnessed many charters of David II. about this difficult time. Robertson's Index, 126.

(*p*) Besides the Earldom of Moray, the Earl and Countess of Dunbar obtained the Isle of Man, the lordship of Annandale, the barony of Morton in Nithsdale, the baronies of Mordington, of Longformacus, and the manor of Duns, perhaps in Berwickshire, with Mochrum in Galloway, Cumnock in Ayrshire, and Blantyre in Clydesdale. Robertson's Index throughout.

(*q*) The Earldom of Moray, as appears by the charter, was a male fee, and of course could not descend to a female heir. But Agnes and Earl Patrick were allowed, during arduous times and the captivity of the king, to enjoy their brother's title and estates.

(*r*) We may see in Ayloffe's Calendar, 205, a notice of the grant of Edward, in 1348, to Thomas de Bradestone, of the manors of *Duns* and *Chirnside*, "que fuerunt Patricii de Dunbar *nuper* Comitis de Marchiæ." The English king had, in 1333, given those manors to the same person when the victory of Halidon and the surrender of Berwick laid open the Merse to his views of interest and ambition. Ib., 160.

(*s*) Rym., v. 634-711-712-723-736-747-793-802-3.

(*t*) Lord Hailes' An., ii., 232.

been extremely active in promoting the negotiations with France, from whatever motives of levity or avarice (*u*). The Northumbrian borderers were equally alert on the prospect of hostilities to pass the Tweed into the Merse. Glad of so good a pretext for renewing hostilities, the Earl ordered Sir William Ramsay to enter England with his sword and torch. The constable of Norham castle, Sir Thomas Gray, sallied out to chastise the spoilers. But Ramsay made a feigned retreat by the Earl's order, and Gray was thus led into the toils which had been prepared for him at Nisbet, where he could not extricate himself by whatever efforts of skill or bravery (*x*). In November 1355, the Earl was equally active in taking Berwick-town by a spirited effort from the sea as well as from the land. Robert Stewart, the regent, now dismissed the French auxiliaries, being glad, as we are told, to free himself from such friends who were particularly attached to the Earl of Dunbar, in whom the Stewart is said to have had no confidence (*y*). In April 1356, however, William, the powerful laird of Douglas, made a treaty with the English warden of the border, engaging not to molest the English while they abstained from hostilities against his estates and those of the Earl of Dunbar (*z*). The Earl concurred zealously in obtaining the liberation of David Bruce (*a*). In September 1357, the Scottish parliament, sitting at Edinburgh, appointed this Earl of Dunbar, with other commissioners, to repair to Berwick for concluding the treaty which was to give freedom to their king, the son of the restorer of their monarchy (*b*). After this event, which forms an epoch in the Scottish history, Patrick, the Earl of Dunbar, seems to have been seized with a violent desire to visit the court of England (*c*). He was certainly engaged in some mysterious intrigues which cannot now be clearly developed (*d*). Whatever they were, this Earl appears to have

(*u*) Lord Hailes' An., ii., 232.

(*x*) Ib., 232-3. Though the Ramsays of Dalhousie did not hold their estate of the Earl of Dunbar, yet they attached themselves to his interest after the assassination of Sir William Ramsay, in 1342, by the knight of Liddesdale, and they obtained some lands and other rights from the Earl. In 1364 Sir Patrick Ramsay resigned to the Earl, in his court of Whittinghame, the half of the lands of East Spot, with the tenandries of Whitsome, and the Earl granted the same property to Alexander de Ricklington, his *armiger*. Robertson's Index, 76.

(*y*) Lord Hailes' An., ii., 234. (*z*) Rym., v. 849. (*a*) Rym., vi., 12-15-33.

(*b*) Ib., 41-43. A convention was at length made, ratified by David Bruce, and confirmed by the parliament at Scone. Ib., 52-6-8-68; and among other barons who pledged themselves for the performance of this *hard bargain* was Patrick, the Earl of Dunbar. Ib., 48.

(*c*) Rym., vi., 82. On the 6th of May, 1358; Ib., 88, the 19th of June; Ib., 108, the 16th of October, a safe conduct to go into England on certain affairs of David Bruce.

(*d*) Ib., 137, on the 13th of September, 1359; Ib., 207, on the 26th of July, 1360, a safe conduct to treat with the English government "on certain articles touching David Bruce."

been amply rewarded by David II. (*e*). He indulged frequently in the fashion of those times, to perform a pilgrimage to the tomb of Becket at Canterbury (*f*). The absurd intrigues of David II. to place a son of Edward III. on the Scottish throne produced much indignation among his nobles. The Stewart, on whom the crown had been entailed by parliament, entered into an association with the Earl of Dunbar, the Earl of Douglas, and others, for their mutual support (*g*). The Earl of Dunbar at length began to think of performing some acts of piety, and of showing some instances of his liberality. In May 1367, he confirmed the grants of his predecessors to the monks of Coldingham (*h*), and at various times he remunerated Alexander Ricklynton, who had been his *armiger* in many a field throughout twenty hostile years (*i*). In September 1367, the Earl was again called out to give his assistance in making a convention for preserving the quiet on the contiguous borders of the two kingdoms (*k*).

(*e*) The Earl was allowed to assume the Earldom of Moray, and to receive its rents and profits from 1346 to 1369. Parl. Rec., 110. He obtained from David a grant of all the castlewards within his lands during his life. Robertson's Index, 42. He had a pension from David of £40 sterling during the king's pleasure, dated the 3rd July, 1362. Ib., 73. His town of Dunbar was erected into a free burgh. Ib., 65.

(*f*) Rym., vi., 395, on the 26th October, 1362 ; Ib., 429, on the 6th of December, 1363. In 1362 the Bishop of St. Andrews, the Earl of Mar, the Countess of Douglas, and others, had similar safe conducts to visit Canterbury. In 1363 the Earl of Douglas, the Earl and Countess of Sutherland, also visited Canterbury. Id. In 1366 the Earl of Dunbar also visited the sacred fanes of Canterbury. Ib., 497.

(*g*) Lord Hailes' An., ii., 251. When the nation had bled for David during many years, when so much treasure had been paid for his ransom, when the nobles had become pledges for its payment, the conduct of David in attempting to deliver the whole nation into the power of an artful and unprincipled enemy, in opposition to parliamentary settlements, was ungrateful and scandalous.

(*h*) He confirmed to those monks, by a charter to the prior and convent of Durham, the manors of Ederham and Nisbet, with the church of Ederham. This confirmation was witnessed by his relation, George de Dunbar, by Alexander Ricklynton, his *constable of Dunbar*, by Robert Lecke, his *stewart*, and his wife Agnes, Countess of March and Moray, ratified the whole. David II. confirmed this in August, 1367. Robertson's Index, 82.

(*i*) David II., on the 2nd July, 1362, confirmed a grant of Earl Patrick to his *armiger*, Alexander Ricklynton, "de terris dominicis dicti comitis de Duns et Milnhaulch," with some lands in Drumly and Home. Roberts. Index, 43-73. In 1364 the Earl granted to the same Alexander Ricklynton the half of the lands of East Spot in East Lothian, with the tenandries within Whitsome in the Merse, which had belonged to the late Seire Freser, and which Sir Patrick Ramsay *de Dalusy* resigned in the Earl's Court at Whittinghame ; and this munificent grant was confirmed by David II. on the 8th of April, 1364. Ib., 76. Ricklynton also offered his adorations at the tomb of Becket in 1365, with six horsemen in his suite. Rym., vi., 478. In 1363 the Earl made a munificent grant to his *alumnus*, John de Hibburn. Robertson's Index, 64.

(*k*) Rym., vi., 569.

In June 1368, the parliament of Scone advised the king to consult the Earls of Dunbar and Douglas, about the security of the eastern Marches (*l*). The Earl of Dunbar's experience was again looked up to by the nation, and the parliament appointed the Earl of Dunbar, with other respectable men, to watch over the general state of a harassed kingdom (*m*). This was probably the last public service which Patrick, the Earl of Dunbar, was required by parliament to perform for the common benefit. About this time he resigned his earldom and estates to his eldest son, George, who received a confirmatory charter from David II. on the 25th of July 1369 (*n*).

(12.) George, the Earl of Dunbar, the first of this name, thus obtained the earldom of Dunbar, with the revenues and influence which belonged to that early jurisdiction at the epoch of the Stewartine period (*a*). By those vast and opulent acquirements, Earl George became one of the most powerful nobles of southern Scotland, the rival of the Douglasses, whom he surpassed in the antiquity and splendour of his descent. As this great baron lived till 1420, and received a sort of establishment as a young man in 1363, he must have been born a year or two *after* his mother's successful defence of their baronial castle in 1338, and he must of course have been twenty-nine or thirty when he became Earl of Dunbar in 1369. He soon came into action as a statesman. He first appeared as Earl of Dunbar and warden of the eastern marches on the 20th of July, when, with other nobles, he swore to maintain the fourteen

(*l*) Parl. Rec., 113.

(*m*) This was the Parliament of Perth, on the 6th of March, 1368-9. Id.

(*n*) Robertson's Index, 85. That charter is said to have been granted in the thirty-ninth year of David II.; but it was really the fortieth, there being an error of one year short in many of the latter charters of that king, as the editors of that Index and others have remarked. David commenced his reign on the 7th of June, 1329, and demised on the 22nd of February, 1370-1, in the forty-second year of his reign. How long Earl Patrick lived after thus denuding himself of his title and estates, is not easy to discover. Douglas, the Peerage writer, has indeed fixed his *mortal hour* in 1360. He no doubt continued to enjoy the Earldom of Moray with all its revenues, in right of his wife, till the death of both. They probably were dead before the demise of David II., since they are not noticed at the coronation of Robert II. The fifth Patrick, Earl of Dunbar and March, as he was twenty-four in 1309, must have been eighty-four in 1369.

(*a*) Besides the earldom, he acquired from his father's resignation the lands of Cumnock in Ayrshire. Blantyre in Lanarkshire, and Mochrum and Glenkens in Galloway. He had already obtained from his parent's resignation, on the 28th of June, 1363, the baronies of Morton and Tibbers in Nithsdale. Robertson's Index, 73. He also inherited from his heroic mother, the heiress of the great Randolph, the lordship of Annandale, the Isle of Man, the baronies of Mordington and Longformacus, with the manor of Duns, perhaps, in Berwickshire. Ib., 115, 122, 136, 144, 164.

years truce which David had made with Edward III., who was enfeebled by his own ambition (*b*). In October 1372, the two wardens of the marches, the Earls of Dunbar and Douglas, made an explanatory agreement with the bishop of Durham and Henry Percy, with regard to the more regular receipts of David's ransom (*c*). The Earl of Dunbar, with several of the Scottish nobles, seem to have been ambitious at this period of visiting the more splendid scenes of England (*d*). In April 1373, George de Dunbar, the Earl of March, and John de Dunbar, the Earl of Moray, were present in the parliament of Scone which settled the succession of the crown (*e*). Among barons irascible and brave, on both sides of the limits which separated Scotland from England, good will and quiet could not long endure. In August 1376, an *Esquire* of the Earl of Dunbar, the warden of the east march, was slain by some Englishmen at the fair of Roxburgh, which was then held by England. The earl applied to Henry Percy, the opposite warden, for justice. As no redress was given for this wrong, revenge was resolved on. The same fair, in the subsequent year, was chosen as the place of perpetration, and the Earl of Dunbar, with his brother, John, Earl of Moray, assembling their followers, attacked Roxburgh during the fair of 1377, killed many Englishmen, set fire to the town, and made good their retreat with much spoil. The action was the signal for an alternation of wasteful inroads on either side of a hostile border. The Earl of Northumberland was not to be easily appeased, and resolving "to make his arrows drunk with blood from revenges upon the enemy," he entered the *Merse* with seven thousand men, ravaged the lands of the Earl of Dunbar, encamped at Duns-wood till they became frightened by their own fears (*f*). Such were the manners of the age, that it was the *wardens* of the *peace* of the marches who were the leaders of those wasteful enmities. A truce was at last made in November 1381, which was to endure between "those brandishers of speares,"

(*b*) Rym., vi., 633. (*c*) Robertson's Index, 109.

(*d*) On the 3rd February, 1373, the Earl of Dunbar had a safe conduct to go into England with a suite of thirty horsemen. The Earl of Strathearn and others had similar passports. Rym., vii., 1. In 1376 the Earl of Dunbar went again into England. The Earl of Douglas had at the same time a safe conduct to travel in England with a suite of twenty horsemen. Ib., 100.

(*e*) Parl. Rec., 129. The Earl of March was also present at the parliament of Scone, in 1371, when John, Earl of Carrick, was declared the heir of Robert II.

(*f*) Fordun, Wyntoun; the Border Hist., 327, mistakingly places this inroad in 1372: Walsingham, 197; and Ypodigma Neustria, 136, places it in 1377, and acknowledges that the *Mersemen*, having frightened by artifice the Englishmen's horses, a panic became general among the men.

for an angry twelvemonth (*g*). The earl of Dunbar and other Scottish nobles now renewed their pilgrimages into England (*h*). But every atonement at the shrine of Becket was followed by some act of hostility. The truce ended in 1384, and the Earl of Dunbar, who was still the warden of the east border, in March 1385, intercepted at Benrig the baron of Graystock, who was conducting supplies to Roxburgh, captured his convoy, and led the baron captive to his castle of Dunbar (*i*). In addition to the perpetual enmity of border chiefs, France had a strong interest in promoting continual warfare between the contiguous kingdoms. In November 1385, John de Vienne, the French admiral, came into Scotland with forty-thousand golden livres for that insidious purpose. Of that shameful lucre, the Earl of Dunbar had 4,000 livres, while the Earl of Douglas had 7,000, as the greatest mischief-maker among a misgoverned people (*k*). Alternate ravages were in consequence made on either side of the adjacent borders, and the people suffered for their leader's profit. A truce at length put a temporary end to such unprincipled warfare (*l*). In the subsequent year the Earl of Dunbar visited the "silent tomb" of Becket (*m*). In the quick succession of hostilities and truces, it required little provocation among such men during such times to produce a war. In 1388 the Duke of Albany, the king's son, who ruled Scotland, resolved on an inroad into England to gratify ambition as much as to gain advantage. He detached from

(*g*) This truce was made at Berwick, on the 1st November, 1380, between the Earl of Dunbar, the Earl of Douglas, and others, and the Duke of Lancaster on the side of England, and it was to endure till St. Andrew's day, 1381. Rym., vii., 276.

(*h*) Ib., 338.

(*i*) Fordun, l. xiv., c. 47 ; Wyntoun, ix.. c. v. This chronicler supposes that the baron of Graystock had a grant of Roxburgh, the *Castelle,* which he was coming to enjoy with his whole household, who were now intercepted by Earl George, "that wyst welle of his comyng."

(*k*) Rym., vii., 485, is the veracious record of this scandalous traffic. That must have been the famous James, Earl Douglas, as William, the first earl, died in 1384. Wyntoun, ii., 323, tells how he was taken with *seknes* on the way to Douglas, "and thare, in a schort tyme, dede he was, and till Melros they had his body, and thare it was honourably entyred."

(*l*) This truce was made at Billymire, in *the Merse,* on the 27th of June, 1386, between the Earl of the March and the Earl of Douglas, the Scottish wardens, with Lord Nevil, the English warden. This is a curious document, as one of the first which was drawn in the English language of an illiterate age. Rym., vii., 526 : "It wes accordit that the castelx of Jedd, Rokeburgh, the town of Berwyk, and the "castel, yar garnisons, servantz, guydes, and catel, whatsaever thay be, er contenyt in yir speciale "trewes and assurantz," &c. Snch, then, was the written language of Northumberland and the *Merse* in 1386. The Earl of Dunbar did not understand either French or Latin, as we know from his own epistle to the English monarch, Henry IV. Pink. Hist., App.

(*m*) Ib., 565.

the large army which he commanded, the celebrated James, Earl Douglas, the Earls of Dunbar, and Moray, with a considerable body of men, to penetrate into the eastern frontier while he himself should attack the western. Douglas without opposition advanced almost to the gates of York with his torch lighted and his spear advanced. Satiated with spoils, he began to retire upon the middle marches. But the Earl of Northumberland had seen his steps, and he had collected an army under the famous Hotspur, and Ralph Percy, his warlike sons, to intercept the Scottish invaders. Douglas had retreated into Redes-dale, when he was overtaken by Hotspur at Otterburn. Here ensued one of the most memorable conflicts of that age, or indeed of any other, saith Froissart, for the gallantry of the leaders, the resolution of the men, and the generosity of the conquerors. After the greatest efforts of bravery, Douglas fell in the foremost ranks, covered with wounds. His friends, by displaying his pennon and raising his war-cry, encouraged the Scots to redouble their efforts. Hotspur and his brother were made prisoners, and the Northumbrians retired from this desperate field. Happy for the Scots that the command of them now devolved on the Earl of Dunbar, the most prudent general in Scotland during that age. He was almost always successful in his various battles, because his circumspection constantly predominated over his courage. The bishop of Durham had followed the track of Hotspur with the yeomanry of his bishopric, and arriving near the field on the morrow, found the Scots advantageously encamped and artfully secured. The bishop tried all his artifices of war to provoke the Scots to meet him in the field. But the Earl of Dunbar said to his chieftains, "Here "have we the advantage of the ground, which is strengthened with trees, and "here will we fight if the bishop should dare to attack us." The English yeomen sullenly retired, and the Earl of Dunbar conducted his army with his prisoners to the Tweed, carrying "the adored remains" of the gallant Douglas in mournful triumph to Melrose, the sacred repository of his valiant family (*m*). But there was no good result from this victory to Scotland. The parliament had the servility, in the subsequent year, to appoint the Duke of Albany the dictator of the kingdom. A truce between England and France ensued, which included Scotland; and in July 1390, Robert III., after swearing to keep this cessation from war, appointed the Earls of Dunbar, Moray, Douglas, and others, the conservators of the border quiet. The Earl of Dunbar now employed himself during several years, either in visiting England in preserving quiet as warden of the marches, or in negotiating treaties, which,

(*m*) Fordun, l. ix., c. 8; Wyntoun, ii., p. 334-44.

among such a people, under a feeble government, could not possibly be maintained (*n*).

But a sad scene of sorrow soon ensued, which gave a colour to the earl's future life. In 1399, the Duke of Rothesay, the son and heir of Robert III., a known profligate, *spoused* Elizabeth the earl's daughter. The father is said to have paid to the Duke a large part of her matrimonial portion, who gave a bond under his seal to perform his espousals (*o*). Yet did the heir apparent of the throne marry, within Bothwell church, in February 1400, Marjory the daughter of Archibald, the third earl of Douglas, who died in February 1400-1 (*p*). The injured lady was very nobly descended. She had the blood of William the Lion, in her veins; Robert Bruce, the competitor, was her progenitor by his daughter Christian; she was the grandchild of Black Agnes, the magnanimous defender of Dunbar castle, who was the daughter of Randolph Earl of Moray, one of the illustrious restorers of the Scottish monarchy; and she was the second cousin of Henry IV., the reigning sovereign of England. This injured lady very soon had her revenge. The Duke of Rothesay neglected her rival, and he was assassinated by Albany, his uncle, and Douglas, his brother-in-law, on the 27th of March 1402 (*q*). The Earl of Dunbar, as he had forgot his usual circumspection in entering into such a contract with the heir-apparent to the crown when under age, felt that he had been injured, without hope of reparation; and carried his resentment beyond all bounds. He

(*n*) Rym., vii., 683-737-54-5-788; Rym., viii., 54-68.

(*o*) The earl, in writing on this interesting subject to Henry IV., his relation, says, "the Duke of "Rothsay *spousit* my douchter, and now, agayn [against] his oblishying [obligation] to me, made be "his lettre and his seal, and agaynes the law of haly kirk, spousis another wife, as it is said." Pink. Hist., App., i., 449. *Spousals*, according to the learned Swinburn, doth only signify promises of marriage, though lawyers have sometimes confounded *spousals* with *marriage*. Treatise on Spousals, 1-3. Though she were only affianced, the Earl of Dunbar's daughter called herself, and was called by Henry IV., *Duchess of Rothesay*. Rym., viii., 694. Bower, 428. It appears not that there was any dispensation from the pope for this second marriage, in opposition to a previous contract. The pretence held out was that the Estates had not given their assent to that *previous spousal* which formed a bar to the second spousals. But there was a much stronger objection to the first marriage. As the Duke of Rothesay was born in 1379, he could have been only twenty years of age in 1399, when he *spousit* the daughter of George, Earl of Dunbar. Bp. Elphinston's Chron. in Innes's MS. Notes, ch. ii. He was scarcely twenty-one when he married the daughter of the Earl of Douglas, in 1400, and he was assassinated on the 27th of March, 1402. Such was the short but wretched life of the first Duke of Rothesay. His fate may be attributed to the folly of Dunbar, the ambition of Douglas, the miscreancy of Albany, and to the profligacy of Rothesay himself.

(*p*) Crawford's Peer., 97.

(*q*) Bower, 431-2; Wyntoun, ii., 397; Lord Hailes' Remarks Hist. Scot., ch. xix.

appealed to his kinsman, Henry IV., against Rothesay, and sought his protection, with design to emigrate to England (*r*). Leaving his castle of Dunbar in the charge of his nephew, Maitland of Lethington, he retired into England, under Henry's safe conducts, in July 1400. The English king was then marching towards Scotland, and the Scottish earl met him at Newcastle (*s*). The fugitive now relinquished his allegiance, and gave his son Gavin as a hostage, in consideration of the royal promises. In August 1400, Henry marched through the Merse to Haddington ; thence to Leith ; thence to Edinburgh castle, which he assaulted, without hope of success ; and then retired into England, without doing much damage to Scotland, except the pillage of Dalhousie castle. An army, which the son of Douglas conducted, was now sent to take Dunbar castle, that readily yielded to the first summons (*t*). In the negotiations which followed, in November 1400, the Scottish king demanded the Earl of Dunbar. The English king required that the Earl's estates might be restored, and as both those requests were denied, the earl with his followers remained under Henry's protection, to whisper mischief and incite hostilities.

In February 1401, Henry Percy and the Earl of Dunbar assembled the Northumbrian yeomen, with design to waste Scotland. They now marched through Berwickshire and Lothian, beyond the Tyne, to Pople and to Linton, wasting the land as they advanced. They assaulted the castle of Hailes, which repulsed their onset. They burnt the villages of Hailes, Trapren, and Merkhill ; and they pitched their hostile tents at Linton and Preston, on the northern side of the Tyne (*u*). This bold advance made a strong impression at Edinburgh. The son of Douglas was despatched to repel the ravagers. The spoilers

(*r*) See his English Letter. Pink. Hist. Scot., i., 449.

(*s*) Here they entered into an uncommon contract, the earl to renounce his allegiance "to Robert, that pretends hymself king of Scotland," and Henry IV. engaged to give the traitor and *Christeane*, his wife, some manors in England. The following is a specimen of their language :—"This Enden-"ture maad at the tonne of the Newe Castil opone Tyne the xxv day of the monyth of July, the yere, "Frome the Incarnation of our lord Jesu Crist, a Thousand and Four Hundreth, Between the Noble "and Michty Prince Henry by the grace of God Kyng of England &c. on the ton syde, and his cousin "George de Dunbarre, Earle of the Marche of Scotland, on the tother syde.——In the Witness of the "*quiche* things, the Parties aforesaid have to thes Endentures sette to their Seales, in the day, yere, "and place beforesaide." Rym., viii., 54.

(*t*) Fordun. l. xv., c. 10.

(*u*) The above specification from Bower ought to have prevented any mistake as to the appropriate route of this hostile intrusion of the Earl of Dunbar into his own country ; yet has the latest historian of Scotland laid the obvious scene of this wasteful inroad in Tweeddale, being deluded by the names of Pople and Linton. Pink. Hist., i., 64.

did not stay to feel his spear. Dunbar and Percy made a precipitate retreat to Cockburnspath, and thence to Berwick. Douglas closely followed them, and almost entered the gates of Berwick with the fugitives (*x*). The English king now rewarded the Earl of Dunbar with his followers, and received his son Gavin into his service, as they had shewn their attachment to him and their enmity to their country, by their recent inroad (*y*). The Douglases obtained possession of Dunbar castle and its appropriate country. In 1402, ensued alternations of inroads. Haliburton of Dirleton wasted Northumberland. Another incursion of Hepburn of Hailes, as it was more adventurous, was less successful. The Earl of Dunbar, with the Northumbrian yeomen, and his own adherents, pursued his countrymen to Nisbet in the Merse, where a sharp encounter ensued. Hepburn made a gallant resistance; but he was at length slain with the youth of Lothian, leaving many prisoners in the hands of his pursuers (*z*). This conflict was fought on the 22nd of June 1402; and the bloody scene was thereafter called *Slaughterhill*, saith Godscroft. When the Earl of Douglas heard of this disaster, he felt for his own fame. He immediately collected the strength of Scotland, with the aid of Albany the governor. He entered England with ten thousand spears, ravaged the country as far as Newcastle; but on his triumphant return, he was encountered near the Northumbrian border by the Earl of Northumberland, his son Henry Percy, and the Earl of Dunbar. The name of Douglas inflamed the proud heart of Hotspur; he was ready to rush into the bloody ranks. But he was prevented by the prudent remonstrances of the Earl of Dunbar, who perceived that the English archers would discomfit the Scottish spearmen. The Scots were thus, by the circumspection of Dunbar, totally defeated at Homildon, on the 14th of September 1402. The Earl of Dunbar saw, with malignant eyes, his rival, Earl of Douglas, Murdoch, the son of Albany, and many of the chieftains of Scotland, led captives to the Northumbrian castles. Hotspur tarnished the lustre of his victory by assassinating the gallant Sir William Stewart, the Sheriff of Teviotdale, on frivolous pretences, under the form of law (*a*). Henry IV. claimed the captives from Hotspur and Dunbar (*b*). The expatriated earl now supplicated the English parliament to restore to him his estates, as they should be conquered. They seem to have admitted the reasonableness

(*x*) Fordun, l. xv., c. 10.

(*y*) Rym., viii., 154, 212, 245.

(*z*) Fordun, l. xv., c. 13.

(*a*) Fordun, ii., 434; Wyntoun, ii., 401-2, who was a contemporary writer. Andr. Stuart's Supplement, 16-22. This fact cannot hereafter be doubted.

(*b*) Rym., viii., 278.

of his prayer (*c*). But though the English army penetrated through the Merse to Inverwick, in East-Lothian, and returned through Teviotdale in 1403 to Cocklaw, they appear to have made little progress in conquering the earldom of the March. They were all drawn aside to very different objects by the rebellion of the Percys in 1403 against Henry IV. The Earl of Dunbar naturally took the part of his protector. Douglas joined Hotspur, whose prisoner he was. They all met in furious conflict at the battle of Shrewsbury, on the 22nd of July 1403. The circumspection of Dunbar was again very properly opposed to the fire of Douglas. On this decisive day this dangerous rebellion was quashed, Hotspur was slain, and Douglas was again wounded and taken. Henry IV. now dealt out his inadequate rewards to Dunbar and his family (*d*). But they were not happy, as they were fugitives; nor were they safe among the Northumbrians, who lamented the Percys (*e*). When the peace between the contiguous kingdoms was restored, and continued by frequent truces, the usefulness of the Earl of Dunbar became of less value to Henry IV. The expatriated earl even became a troublesome neighbour where he resided in Lincolnshire (*f*); and he was thus induced to think of endeavouring to regain what he had lost at home by his imprudence. Nor did he find his restoration so difficult, considering that James I. was then a prisoner in England, and Albany, the regent, governed by an odious sway. Walter Hallburton of Dirleton, who had married Albany's daughter, was the mediator of this reconcilement in 1489. But it was not effected without sacrifices in his property and name (*g*); yet was he not restored to his ancient influence, nor was his earldom placed beyond the reach of forfeiture.

(*c*) Walsingham, 238.

(*d*) Rym., viii., 322-3-4.

(*e*) See the Countess of Dunbar's Letters to Henry IV., complaining of their distresses since they left their country; they were surrounded by the pestilence; yet, they could not retire to their own castle of Cocksburnpath, as they had incurred the hatred of the followers of Percy. Pink. Hist. i., App. viii. They received some relief. Rym., viii., 400. George, the eldest son of the Earl of Dunbar, retained the possession of the castle of Cockburnspath; the Englishmen at Berwick took the vessels which were carrying him supplies, and Henry IV. endeavoured to grant him redress. Ib., 410.

(*f*) In 1407, the earl and his followers, in some dispute with the tenants of the dean and chapter of Lincoln, at Nanenby, slew John Bleswell. For this they were all indicted, and on the 10th of May, 1407, Henry IV. granted the earl, his son Gavin, thirty-eight of his men, with their wives, who had joined in the fray, a pardon for their crimes which were thus committed. Ib., 481.

(*g*) The Earl of Douglas would not consent to Dunbar's restoration till he had obtained the castle of Lochmaben and the whole lordship of Annandale for ever, in lieu of the castle of Dunbar and the earldom of March, which the Douglasses had possessed since the expatriation of Dunbar.

Peace could not last long between contiguous kingdoms which were governed during such times by such men. They were at war in 1410. In this year Patrick Dunbar, one of the Earl's sons, took, by a hardy stratagem, Fast-castle, on the northern shore of Berwickshire (*a*). The Earl of Dunbar was one of the commissioners who were appointed, in 1411, to negotiate a truce with England (*b*). In January 1414, the king of Scots, who was still a prisoner in England, the Lord of the Isles, who was one of the treasonous subjects of Scotland, and the Earl of Dunbar, who lived upon the borders, were all included in the truce between England and France (*c*). Such fallacious cessations necessarily produced constant warfare between conterminous people. In 1417, the Earl of Dunbar joined the army which the regent Albany led to the borders; for the purpose of besieging Roxburgh and Berwick, and making an incursion into England. But Dunbar and Douglas are said to have counselled the regent to retire, on the rumour of the approach of an English army; and he certainly led back his army without effecting any one of his apparent objects (*d*). This was the last exploit of the Earl of Dunbar, who was now well stricken in years. He died in 1420, when he was upwards of eighty-two, of the disease which was known in that age by the name of the *quhew*, which, from several symptoms, we may suppose to have been a contagious fever,

Fordun, l. xv., c. 21. The regent of Albany on this occasion granted the castle of Lochmaben and the lordship of Annandale to Archibald, the Earl of Douglas, and his heirs-male, whom failing, the whole was to return to George, the Earl of Dunbar, and his heirs-male, on the resignation of the same earl and his heir. Robertson's Index, 164. The regent had already granted many parcels of the Earl of Dunbar's forfeited lands in the Merse to several persons. Ib., 140, 147-149. Haliburton now obtained forty librates of the lands of Brigham in the Merse, which belonged to Dunbar. The restoration of the earl must have been in the beginning of 1409, as he witnessed a charter of the same Haliburton at Dirleton, on the 8th of June, 1409. Ib., 166.

(*a*) Fordun, l. xv., c. 21; Holinshed, 257. Gavin Dunbar, another son of the earl, with William Douglas of Drumlanrig, in 1411, broke down the bridge of Roxburgh, and burnt the town, which the English had long possessed. Fordun, l. xv., c. 23.

(*b*) Rym., viii. 682. The first treaty being disconcerted, a second was more successful. Ib., 703. In December 1411, the regent Albany appointed George Dunbar, the heir of the Earl, and John Busby, the Duke's chaplain, to negotiate the temporary liberation of Murdoch, the regent's eldest son, who had been taken in the battle of Homildon, as we may remember. Ib., 708.

(*c*) Rym., ix. 93. A direct truce between Scotland and England was attempted in August 1414. Ayloffe's Calend., 306. In 1415, the same persons were again included in a truce between England and France. Ib., 264. The same characters, with the Earl of Dunbar, were in October 1416, included again in the truce between England and France. Ib., 392.

(*d*) Bord. Hist., 385. Their advice, which was given to the regent, whether insidious or not, was undoubtedly too readily followed; for this expedition was generally derided as the *foul-rade*. Fordun, l. xv., c. 24.

with an attendant dysentery (*e*). He married Christian, the daughter of Sir William Seton, who brought him two sons and six daughters (*f*). George, Earl of Dunbar, who thus died in 1420, though the genealogists suppose him to have deceased in 1416, was certainly an eminent noble, who involved himself in misery and ruined his affairs by two imprudent acts; the marrying of his daughter to the heir-apparent of the throne while under age; and his own revolt against his sovereign, who had not injured him, when he found himself overreached by more unprincipled politicians.

When the *second* George, Earl of Dunbar, thus succeeded his father, he must have been aged almost fifty (*g*). In 1423, and in 1424, the Earl and his brothers were much employed in negotiating the freedom of James I. (*h*). The Earl of Dunbar had the honour to meet the king at Durham on his return to Scotland (*i*). The Earl, attending his coronation on the 21st of May 1424, was one of those eminent men who were knighted on that joyous occasion (*k*). He was one of the conservators of the seven years truce which James concluded at Durham (*l*). Yet was he arrested, at the parliament of Perth, on the 21st of March 1425, with Murdoch, Duke of Albany, Archibald, Earl of Douglas, William, Earl of Angus, and twenty persons of less rank (*m*). The three Earls must have been soon liberated, as they sat with others in the parliament of

(*e*) Fordun, l. xv., c. 32. As George, Earl of Dunbar, was upwards of thirty when he received the earldom from his father in 1369, he must have held the earldom fifty-two years, and must have been upwards of eighty-two at his death.

(*f*) Dougl. Peer., 441. Christian, the Countess, is mentioned in the contract between Henry IV. and the Earl of Dunbar. Rym., viii., 153. Five of their sons, George, Gavin, Colin, Patrick, John, are mentioned by a charter of Robert II. in 1390. Robertson's Index, 126. David, their sixth son, is mentioned in Rym., x., 292, as a prisoner during 1423. David Dunbar had the honour to fall in defending, with equal spirit and loyalty, James I. when he was assassinated. Fordun, l. xiv., c. 27. The two daughters of the Earl and Countess were Janet and Elizabeth. It is curious to remark that Douglas and the other peerage writers have forgotten that this Earl of Dunbar had a daughter Elizabeth, who, as she had been affianced to the Duke of Rothesay, was called the Duchess of Rothesay by Henry IV., occasioned the revolt of her father and the ruin of his family.

(*g*) In 1390, he obtained from Robert III. a grant to him as heir of the Earl of Dunbar, of his ward, relief, and marriage, for the earldom of March and the lordship of Annandale. Robertson's Index, 126. He appears in various public transactions during the last twenty years of his father's devious life. He seems to have held his father's castle of Cockburnspath, during his father's residence in England, from 1400 to 1409. In 1411, he acted as a commissioner for liberating the regent's son; and in 1415, he again was employed to obtain the freedom of the same person.

(*h*) Rym., x. 286, 299-301-308-9, 327-8.

(*i*) Ib., 309.

(*k*) Fordun, l. xiv., c. 2: Abercromby, ii., 269.

(*l*) Rym., x. 332.

(*m*) Fordun, l. xvi., c. 10.

Stirling, in May 1425, on the trial of the Duke of Albany and his associates in treason (*n*). Patrick, his heir, was one of the new hostages who were given in July 1425 for the ransom of James I. (*o*). During several years the Earl was appointed either to make or to preserve the frequent truces with England (*p*), and the Earl of Dunbar had the honour to be one of the sponsors for James II. who was born at Holyrood-house on the 16th of October 1340 (*q*). Yet after all those services, owing to whatever cause, the Earl of Dunbar was imprisoned within the castle of Edinburgh in 1434 (*r*). In the parliament which was summoned at Perth in January 1435, George, Earl of Dunbar, was accused, not for any treason committed by him, but for holding his earldom and estates, which had been forfeited during the late reign for his father's guilt. In vain did the Earl plead that his father had been pardoned and restored by the regent Albany; it was answered that a forfeiture having been incurred for treason could not be pardoned by a regent, and the parliament, in compliance with this absurd reasoning, adjudged George de Dunbar, Knight, to have forfeited his earldom and estates, which were now invested in the king (*s*). Nothing can be found in the conduct of this Earl which could justify this harsh, not to say unjust proceeding. He was a gentleman of moderate abilities and of unassuming manners; he had concurred zealously in obtaining the king's restoration, and had served the king very faithfully; and this rigorous proceeding can only be allowed to stand, for its justification, on the slight motive of the whispers of courtiers, who, with less merit, stood panting for his forfeiture. Yet James I., whose fair fame is foully stained by Dunbar's forfeiture, conferred on him and his heirs a pension of four hundred marks out of the earldom of Buchan, but not the earldom itself as some suppose. After that grievous condemnation the Earl and his son retired with their families into England,

(*n*) Fordun. l. xvi., c. 10.

(*o*) Rym., x. 348. The Earl's heir was relieved from this thraldom by the Earl of Sutherland, in November 1427. Ib., 381.

(*p*) In June 1429, George, Earl of Dunbar, and his brother Sir Patrick, were two of the ambassadors who were sent to treat with England about infractions of the truce, and to negotiate a final peace. Ib., 417. He was employed on the same business in January 1430. Ib., 446; and he was appointed one of the Scottish conservators of the five years' truce which was made with England at Edinburgh, in December 1430. Ib., 491.

(*q*) Fordun, l. xiv., c. 24.

(*r*) Id. The Earl of Angus, the Chancellor Crichton, and Hepburn of Hailes, were sent to take possession of the castle of Dunbar, which was readily surrendered to them. Hepburn was left, as constable, to keep the castle. Id.

(*s*) Black Acts, fo. 23; Parl. Record, 26.

where they resided in obscurity, which formed a sad contrast to the ages of splendour that their dignified fathers had uniformly enjoyed (*t*). They appear, however, to have inherited the barony of Kilconquhar in Fife, which, as it had been held under the bishops of St. Andrews, seems not to have been involved in the forfeiture of the honours and lands which were held *in chief* of the king (*u*). Thus ended the long line of the Earls of Dunbar, who were as dignified for their connections as they were respectable for their opulence, and who, for so many generations, enjoyed such vast estates and so much influence in Berwickshire.

The estates of that family and the earldom of *the March* were now invested in the crown. The whole was of course delivered to the management of *a stewart*, who collected the revenues and administered justice within its jurisdiction. But it was not quiet. The Hepburns and Homes contended for superiority in turbulence (*x*). The earldom of March was at length conferred by James II. on his second son, Alexander, the Duke of Albany, who was also made *warden of the East Marches*. It will soon appear that those most ancient Earls were but ill exchanged for the king's kinsman (*y*).

Almost the whole events of the turbulent reign of James III., who succeeded his father on the 3rd of August 1460, turned upon the misconduct of his brother, the Duke of Albany. The king was born in 1452, his brother Alexander in 1453, and his brother John, the Earl of Mar, about the year 1455, and they lost in 1463, the benefit of their mother's counsels, when Mary of Gueldre died, a woman of a masculine spirit, but a widow of suspected chastity (*z*).

(*t*) Rym., x. 618-628-9.

(*u*) About the year 1457, Bishop Kennedy gave a charter to Patrick Dunbar, the heir of the late Earl, of the barony of Kilconquhar, etc. Dougl. Peer., 442, who quotes Macfarlane's Col. of Charters. The peerage writer says that the posterity of Patrick continued in possession of that barony till the recent times of Mary Stewart, when the last of them died without male-issue.

(*x*) In 1446, Sir Patrick Hepburn of Hailes took the castle of Dunbar by surprise; and Archibald Dunbar, in his turn, took the castle of Hailes. Abercromby, ii. 336. In the chartulary of Coldingham there are some letters of James II., in 1446, "de rebellione Patricii Hebburn, militis, occupantis castrum de Dunbar." Lord Home was, at the same time, probably, stewart of the earldom of March, and collected its revenues. Pitscottie, 133.

(*y*) The Duke of Albany, as he enjoyed that trust and those estates before August, 1455, must have had a grant of them from his father when he was scarcely two years old, as he was born in 1453. The parliament which sat in August 1455, declared void all grants of offices in fee, "exceptand the wardenry of *the Merche*, the quhilk owr soverane lord has given till his sone Alexander Erle of Merche, and lord of Ananderdale." Black Acts, Ja. II., c. 47.

(*z*) Lord Hailes' Remarks, 141, contains a defence of the chastity of Mary of Gueldre; Lord Elibank's Remarks, ch. viii., who seems to recognize the influences of truth.

James III. who was a prince of beneficent temper, without talents, and without ambition, and yet is represented by history in contradiction to record, as *a tyrant*, was little calculated to struggle during rugged times with profligate brothers and turbulent nobles. His affairs, while he was yet an infant, were conducted with equal prudence and success by James Kennedy, the virtuous and able bishop of St. Andrews. His brother, the Duke of Albany, being sent to Gueldre for his education, in 1464, was, during peace, carried a captive into England (*a*). But Bishop Kennedy sent to Edward IV. a herald, carrying a request of deliverance in one hand, and a declaration of war in the other, and the Duke was immediately released, with apologies for his capture. That excellent prelate died in 1466, to the irreparable loss of the king and the disquiet of the nation. James III., at the age of fourteen, fell into the management of the Boyds, a family who set no bounds to their ambition; and were ruined by the envy of the nobles. They, however, negotiated a prudent match for the king, with Margaret, the princess of Denmark, who brought him, as her dower, the Orkney and Shetland Isles, in 1469, when he was of the age of seventeen and she was sixteen. The Boyds were subverted by a forfeiture in parliament during the same year. The feeble James, who came of age in 1473, now fell into the management of another faction, who were equally interested and less scrupulous than the former. On the 10th of March 1472-3, was born to the king a son, who was named James; and who, when he had scarcely arrived at the age of sixteen, contributed to the dethronement and demise of his father, on the 11th June 1488.

James II. in an evil hour, for the quiet and stability of his own family, very early gave establishments to his younger sons. When Alexander, his second son, was scarcely two years old, he was made Duke of Albany, *Earl of March*, Lord of Annandale, *warden of the East Marches* (*b*), and, he was appointed, in 1472, when he was still under age, Governor of Berwick and Lord Lieutenant of the Borders (*c*). While he was still under one and twenty, he performed every act of ownership over his own estates, as if he had been of the most mature years (*d*);

(*a*) He was sent thither, it seems, by the death-bed desire of his mother, Mary of Gueldre. Pitscottie, 126, says, "he was sent to France to learn the *leed* with other letters." He had a safe conduct from Edward IV., dated the 20th April, 1464, wherein his whole titles are recited. Rym., xi. 520.

(*b*) Rym., xi. 520; Parl. Rec., 147.

(*c*) Black Acts of Parl. James II., ch. 47; Lindsay of Pitscottie, 133.

(*d*) Before the year 1471 he appears to have granted a lease of the *customs* and *tolls* of Annandale. Parl. Rec., 163. In October, 1472, when the Duke was scarcely nineteen, he granted the lands of Longformacus to James Sinclair. Dougl. Baronage, 249, who quotes the archives of that family.

and during the same early period, he married his second cousin, Catherine Sinclair, the daughter of William, Earl of Orkney and Caithness, by Margaret Douglas. The king's third brother John, Earl of Mar, was also brought very prematurely into public life, having early received his private establishments, and with the same imprudence, both those brothers were allowed to sit in the parliament of May 1471, the one at the age of eighteen, and the other at sixteen (*e*). Both Albany and Mar sat in some subsequent parliaments before they were of lawful age (*f*). The parliament and the nation had soon cause to repent the imprudence of admitting such persons, at such immature periods of life, to vote in the national councils.

As those infant princes had long acted without control, they at length set the laws at open defiance (*g*). Albany and Mar, with the Earl of Angus and Lord Gray, who were at the head of those nobles that caballed with them, secretly assembled at Edinburgh, in 1478, in order to drive from the king's presence his subordinate servants, the amusers of his privacy rather than the advisers of his councils (*h*). In this treasonous meeting of heady youths, none was so out-

(*e*) Parl. Rec., 159-60; and on the 11th May, 1471, both those princes set their seals to a confirmation in parliament, to William Earl of Orkney, who had received the earldom of Caithness in exchange for the Orkneys. Ib., 164. When this parliament adjourned, "my Lord of Albany," at the age of eighteen, was appointed by the Estates, one of the committee of government during the recess. Parl. Rec., 159-60.

(*f*) Ib., 168, 198-9. In 1477, Edward IV. granted a licence to the Duke of Albany to buy English longbows, "pro suis jocis et ludis." Ayloffe's Cal., 284. Nobles of less influence were admitted to sit in parliament under age, and livery of the lands of such nobles was also made to them while much under age. Such was the constitutional practice in Scotland, however absurd in its theory, and dangerous in its effects. We have seen above how Albany employed himself in 1477; yet, are we told that in the same year he obtained a divorce from his wife, a princess of the blood, because she was his second cousin.

(*g*) Doctor Henry supposes that the cabals of the princes began as early as 1477. Hist., v. 293. Other historians say their intrigues began two years later, but probability and record evince that the earliest of their meetings were towards the end of the year 1478. On the 22nd of May, 1479, Albany was accused in parliament of treason, for fortifying his castle of Dunbar against the king, and for committing other treasonable acts. Parl. Rec., 252. Now, this accusation was subsequent to his escape from the castle of Edinburgh, and after his flight to France.

(*h*) Lesley, 307. The Earl of Angus, as he was born in 1454, was one year younger than Albany, and one year older than Mar. In 1468, when he was only fourteen, he married Elizabeth, the daughter of Lord Boyd, who was then one of the rulers of Scotland. On the 26th of June, 1470, the king gave him livery of his lands, *notwithstanding his non-age*. Godscroft, 219. In 1479 the king erected the Earl's lands and castle of Tantallon into a free barony. Crauford's Officers of State, 54. Crauford quotes the charter in the Public Records in order to show how

rageous and loud in accusations against an indulgent king, as the king's brother, the Earl of Mar, an intemperate boy of three and twenty. But when the king's ministers heard of that cabal, they caused the king's brothers to be arrested: the Duke of Albany was committed to the castle of Edinburgh; and the Earl of Mar was confined in Craigmillar castle. Albany, as his keepers were not very vigilant, made his escape to his fortlet of Dunbar; and Mar almost immediately died, though by what means was not at such a time very accurately ascertained (*i*). The death of this prince rather stifled than dissipated this conspiracy, which was thus ready to break out (*k*). Albany, after retreating to his castle, which he fortified against the king, thence retired to France (*l*). The Duke was immediately accused in parliament of the various crimes of murder and treason, which affected his life, and the forfeiture of his estates and offices (*m*). Yet, perhaps there was no real purpose to convict him of crimes, which, as they were sufficiently known, could have been easily proved. As the ministers knew that the king had no delight in capital punishments, their object seems to have

much Angus was in the favour of the king; but why Angus should so soon set himself at the head of that faction that affronted the king Crauford cannot divine. Id. Andrew, Lord Gray, on the 31st of October, 1471, was restored heir to his grandfather. Crauford's Peerage, 180. He was a nobleman of very great parts, saith this peerage writer. After Lord Gray had assisted in hanging the king's servants at Lauder Bridge; after Lord Gray had drenched his hands in the blood of his murdered sovereign, James III., he was in the subsequent year appointed Justiciary of Lothian, and afterward Justice General of all Scotland, an office which he held till his death in February, 1514. Ib., 189. The cabal who complained of the king's conduct were formed of youths of four, five, and six and twenty years of age.

(*i*) As Buchanan and his followers talk with their usual malignity of "Mars' keepers having opened a vein," we may easily suppose that from the violence of his temperament under confinement, that he may have burst a blood vessel. The reign of James III., whatever they may say, was not a reign of blood, as we may learn from the Parliamentary Record.

(*k*) Such is the intimation of Buchanan, who acknowledges that there was such a meeting for the end of changing the king's servants by force. Buch. Man's Edit., 347. Lesley, 319-20; but such a meeting, for such a purpose, was an act of treason at that time, as it is at present. The silence of the Parliamentary Record as to the conviction of the Earl of Mar, shews that Buchanan and Lesley were both mistaken in supposing that the Earl was put to death by order of Government.

(*l*) Lesley, 309; Henry's Hist., v. 294. The best account of the obscure reign of James III. is that of Doctor Henry, who has most research and most candour.

(*m*) On the 22nd of May, 1479, a warrant was issued to summon the Duke of Albany to answer in Parliament for fortifying the castle of Dunbar against the king, contrary to the Acts of Parliament; for the treasonable violation of the truce with England, *he being warden of the Marches;* for being guilty of the cruel slaughter of John Scougal; and for other treasons and crimes committed against the king. Parl. Rec., 252-3.

been only to institute a prosecution of treason, in order to terrify the Duke, and to overawe his faction (*n*). After his flight into France, some of those lords who had been engaged in the late conspiracy, entered into a secret correspondence with the exiled Earl of Douglas who was then expatriated in England, and with the English Government, which did not dislike such an intercourse (*o*).

Meantime, the Duke of Albany was favourably received by Louis XI., a congenial character, from whom he obtained an adequate establishment. In that age little did the various princes know of each other, or of the true state of their several countries. Amidst this uncertainty, the profligate Albany took to wife, in the subsequent year, Anne, the third daughter of Bertrand, Count D'Auverne, knowing that he was already married (*p*). Albany lived long enough with this

(*n*) Lord Evandale, the chancellor, soon compelled the castle of Dunbar to surrender; some of the garrison made their escape to the English coast: and on the 7th of October, 1479, twenty-one of the prisoners, who were chiefly men of Berwickshire, were convicted of treason. Ib., 252. On the 11th of June, 1479, George Home of Wedderburn, Patrick Home of Polworth, Andrew Home, and others, were accused before Parliament of treason in holding the castle of Dunbar against the king, and for breaking the truce with England. Ib., 255. The charge of treason against the Duke was often recalled before the Parliament through several years, as low down as the 11th of March, 1482, without any attempt to carry the charge up to a conviction. Ib., 254-71. The notice in Carmichael's Tracts, 61-2, of Albany being forfeited on the 4th of October, 1479, is a mistake, which has been since copied by other writers.

(*o*) Border Hist., 440; Parl. Rec., 274.

(*p*) Anne, the third daughter of Bertrand Count D'Auvergne, married first on the 16th of February, 1480, Alexander Stewart, Duke of Albany, who died in 1485, of a wound which he received at a tournament; and secondly, she married in 1487, Louis Compte de la Chambre. L'Art de Verifier les Dates, third edition, t. ii., 371. The historian of the Jameses, p. 92, supposes, that Albany had *buried* his *French wife*, but we see above that she outlived him. From the contract which Albany made with Edward IV. on the 11th of June, 1482, for marrying his daughter Cecilie, we may perceive that Albany was perfectly aware that he had then *two wives living*; for he agreed to marry the lady Cecilie, "gyf the said Alexander can mak himself clere fro all other wemen." Rym., xii. 156-7. Such a profligate as Albany could have easily dispatched a couple of concubines; but two wives cannot be so easily thrown off. The Scottish historians, however, intimate a divorce by John Otterburn, the official of Lothian, from the lady Catherine Sinclair, his second cousin, in 1477-8. I have obtained from the Records at Edinburgh a copy of the certificate of that divorce, under the hand and seal of George Newton, notary, and clerk of the official, which was laid before the Parliament on the 13th day of November, 1516. This certificate sets forth Albany's divorce to have taken place on the 9th of March, 1477, that is 1477-8, before John Otterburn, the official of Lothian. This notorial certificate, which was very little examined by that Parliament, is liable to just suspicion of some fraudulence. (1.) It is plainly inconsistent with the genuine record in Rymer before mentioned. (2.) We hear nothing from the contemporary writers of Albany's divorce, or even dissatisfaction. (3.) He was at that period engaged in the most

injured lady to have a son by her, who was also called Alexander; and though of doubtful birth, assumed the title of Duke of Albany on his father's death in 1485; and became regent of Scotland during the minority of James V.

The Duke of Albany, tired of his concubine and of quiet in France, went to England, in 1482 (*a*). The Duke now endeavoured by every traitorous art, "to incense Edward to a war with Scotland;" protesting "that he knew "the king his brother was fallen into such low esteem, even with those he "cherished, and into such hatred with all mankind, that, if assaulted by the "English, he would be constrained, by the submission of his crown, to intreat "for safety (*b*)." Yet, Albany carried his "treasonous malice" one step

dangerous intrigues; and was joined therein by the Earl of Orkney, his wife's father, who would have resented the divorce of his daughter, on so frivolous a pretence as her being his *second cousin,* and being equally with himself the grand-child of Robert III. (4) The notorial certificate states him to have been divorced by John Otterburn, the official of Lothian, on the 9th of March 1477-8, as we have seen above; and it is now objected, that he was *not* official of Lothian at that time. He was certainly official of Lothian in January 1467-8, in November 1469, as we know from the Parliamentary Record, 152 and 157; and he continued official on the 16th of March 1472-3, as we learn from Rymer, xi., 750; and he is described in a safe conduct, dated 21st April 1473, Rymer, xi., 775, as Mr. John Otterburn, *archdeacon of Candida Casa,* when he had ceased to be official of Lothian, for he was present in parliament on the 23rd of July 1473, when he was appointed on the committee of causes, by the simple designation of Mr. John Otterburn. Parl. Rec., 174. He probably died soon after, as we see nothing more of him in any document. On the other hand, William Elphinston, the celebrated Bishop of Aberdeen, who had certainly been official of Glasgow on the 6th of May 1471 (Parl. Rec., 159), is stated by the antiquary Crauford to have been appointed *official of Lothian* upon the death of Muirhead, the bishop of Glasgow, in 1474 (Officers of State), 48), and we see William Elphinston sitting in parliament among the clergy *as official of Lothian,* on the 1st of June, 1478 (Parl Rec., 218). (5) It thus appears from those several facts that Newton's notorial certificate of Albany's divorce is obnoxious to the charge of forgery.

(*a*) The Duke was brought over in the Michel Carvel, which was commanded by James Douglas, a renegade Scotsman. On the 9th of May, 1482, Edward IV. took this vessel, "which of late conveighed oure cousin the Duc of Albany into this oure realme," into his service; he ordered her to be fitted out, with all things necessary, under Douglas's command, and he sent him on an eight weeks cruise along the coast of Scotland, with a view to the insidious intrigues which were then carrying on between himself and Albany. Rym., xii. 154. The English kings in those times were a sort of *vikingr,* who sent out their ships to seize whomsoever and whatsoever they could catch on the seas. Henry IV. acted as a *vikingr* when he seized Prince James, the heir-apparent of the Scottish crown, *during a truce* in 1405. Edward IV. acted as a *vikingr* when he detained this very Duke of Albany when going to school, during a peace in 1464; and Elizabeth acted as a kind of female *vikingr* when she sent out a fleet during peace to make capture of the Scottish queen.

(*b*) Such is the representation of Habington, Hist. Ed. IV., 201, and, indeed, of the general strain of the English chroniclers, who considered Albany as an oppressed prince.

further. He entered, with Edward, into a formal contract, by the name of "Alexander king of Scotland," to *do homage for his kingdom* to the English king; to break the confederations between Scotland and France; and to transfer, for ever, the *town of Berwick* to England, within fourteen days, after he should be conducted to Edinburgh, by the English army (*c*). Those artful intriguers saw clearly, that some additional stipulations were still necessary. On the subsequent day, Edward engaged to aid Albany, in obtaining the realm of Scotland, which the duke was to receive, as the gift of the English king; Edward promised to warrant the possession of Scotland to Albany against his brother, the king; and Edward, moreover, agreed to give Albany in marriage his daughter Cecilie, who had already been contracted to the heir of James III., if Albany should be able *to clear himself from all other women* (*d*). Edward and Albany evinced the sincerity of their several purposes by the vigour of their conduct in carrying into effect their insidious conspiracy. Edward equipped a well appointed army of two and twenty thousand men, which he placed under the command of his brother Richard, the well-known *Duke of Gloucester* (*e*). We thus see upon the same stage together three of the most subtle princes of that age, who each endeavoured to over-reach the other two in their selfish

(*c*) Rym., xii., 156, attests the baseness of Albany, and the insidiousness of Edward, by the contract which they thus made on the 10th of June, 1482, at Fotheringay Castle, a place fatal to Scottish princes. Berwick town was, in fact, delivered to the English army on the 24th of August, 1482, under that contract.

(*d*) Rym., xii., 156, has recorded this scandalous conduct: by it Albany agreed that the English king, in addition to Berwick town and castle, should retain Liddesdale, Eskdale, Ewesdale, Annandale, with the castle of Lochmaben. The contract between Edward IV. and James III., for the marriage of Cecilie to the heir of Scotland, was made at Edinburgh on the 26th October, 1474. Rym., xi., 825. Part of the dowrie of the Lady Cecilie had been accordingly paid; and James was always ready to fulfil this commodious contract, when Cecilie and the prince of Scotland should arrive at their appropriate ages of marriage.

(*e*) James III. and Edward IV. had lived together since 1474 on the most friendly terms; and on the 17th of March, 1477-8, Edward IV. had given a safe conduct to James to travel through England to the shrine of St. John, with a *thousand attendants*. Rym., xii., 53; but on the 12th of May, 1480, the Duke of Gloucester was appointed to command against Scotland. Ib., 115. This is the first record notice of any enmity; but the expatriated Earl of Douglas intrigued meantime in England. Albany was accused in Parliament as early as May, 1479, of breaking the truce with England, and committiug hostilities, though "he was the warden of the marches for the time." Parl. Rec., 252-3. The cabal, at the head of which was Angus, continued to carry on treasonable correspondence with England since 1478; and Lord Lyle was prosecuted in Parliament for this treason in March, 1481-2. Ib., 274; Lord Kames's Tracts, 441; Border Hist., 440. In that age it was the common practice of intriguers, in opposing the king, to make inroads into England for the purpose of inciting war and distressing their government.

purposes. The English army, thus equipped and commanded, was appointed to assemble at Alnwick early in July 1482, with design to march forward for executing the concerted project of seizing Berwick and dethroning the Scottish king. Albany accompanied Gloucester, "who was studious to have him in "sight, least, if apart, saith Habington, with sale of the English army he might "purchase his own peace *(f)*. We may thus perceive that the English chroniclers knew the real character of Albany, while the Scottish historians seem to have been unacquainted either with his practices or his principles.

Whilst the English army, under Gloucester, and Albany, thus assembled within a day's march of Berwick, James III., who appears to have known something of their objects, marched towards them with fifty thousand men from Edinburgh to *Lauder*. Little did he know, however, that the former associates of Albany were within his camp. Artless as he was, he could not foresee that an association of nobles were now ready to act in concert with his insidious brother and his open enemies. At the head of those nobles were the Earl of Albany, whom he had often obliged (*g*); the Earl of Caithness, whose daughter had been dishonoured by Albany; Lord Gray, who was plotting in subserviance to Angus; and Lord Lye, who had been lately tried for corresponding with the Earl of Douglas and other expatriated traitors in England. In prosecution of their purpose, the conspirators met, probably, on the 14th of July 1482, in *the church of Lauder* at *midnight*. It did not require a long deliberation to adopt a preconcerted resolution. They determined to put to death the king's subordinate servants in the royal presence (*h*). The noble conspira-

(*f*) Hist. Ed. IV., 203.

(*g*) Angus, who was now eight and twenty, is extolled by Buchanan as "the brave *leader* of the associate crew," l. xii., 42. The appropriate historian of the Douglases celebrates Angus as the great actor in this remarkable tragedy, being "a very rare example of their *carefulness of the commonwealth*, joined with all *modesty, love*, and *dutifulness* towards *their king*." Godscroft, 227, thus shows to discerning eyes how well qualified he was to be the biographer of such men during profligate times.

(*h*) They hanged Cochran and Rogers, with some other servants of James III., over *Lauder Bridge*. Lesley, 309. But he is mistaken in supposing that James Hommil was also there put to death, for after the king himself had been murdered at Stirling field, James Hommill, *scissor*, who merits the praise of steady attachment to an indulgent master, was prosecuted by the same faction in the parliament of October 1488, with Ramsay and other servants of James III., for endeavouring to bring in the English to the king's aid. Parl. Rec., 331. Crauford's Lives of the Officers of State evince that the objects of that treasonous outrage were not employed in the offices of government, which were executed by very different men. The highest place that any of those subordinate men appropriately held was the situation of master of the works. The king had a right to appoint the ministers of his own amusements, whatever envy might be created or affected by the appointment of such persons for such an object.

tors are said to have reproached the king for amusing himself with the instruments of peace, that were now converted to the uses of war. They certainly conducted him as a prisoner to the castle of Edinburgh, which was committed to the charge of his uncle the Earl of Athol. The revolt of the nobles and the imprisonment of the king were the signals and the motives for the disbanding of the army, and the dispersion of the king's host laid open the whole frontier of the kingdom to the hostile entrance of the public enemy, as well as to the secret designs of the private conspirators.

During those transactions at *Lauder* in July 1482, which was thus involved in the scandal of such foul misdeeds, Gloucester and Albany marched from Alnwick to Berwick at the head of the English army. The town, as it could make little resistance against such a force, and such treachery, was easily won; but the castle was vigorously defended by Patrick Hepburn, Lord Hailes. Gloucester now resolved to march with Albany to Edinburgh, leaving four thousand men under Lord Stanley to beleaguer Berwick castle (*i*). Gloucester, seeing no opposition, burnt many towns on his progress through the Merse, to terrify and alarm (*k*). They soon entered Edinburgh without obstruction, finding the king within the castle, and the merchants ready to give presents to Gloucester, and his Officers, who are said to have spared the town on the recommendation of Albany (*l*). The king's Government, with Lord Evandale, the Chancellor, at their Head, had assembled at Haddington with a small force in the rear of the English army; and the people, though they had been betrayed by Angus, Gray, and other nobles, being roused by the blaze of Berwickshire, began to gather around their capital and king. Gloucester did not feel himself perfectly secure at Edinburgh; Albany had not been received with

(*i*) Habington's Hist. Ed. IV., 203.

(*k*) Ib., 204. Hall, indeed, has preserved a useful specification of the towns which were on that occasion burnt and destroyed: Edrington, Paxton, Fishwick, Hutton, Mordington, and its bastel, Edrom, East-Nisbet, Kelloe, and Kimmerghame, the two Swintons and the bastel, Simprine, Crossrig, and many others. Hall's Chron., fol. 54, b. It is unnecessary to point the indignation of Berwickshire towards Albany and Angus, as the principal incendiaries of so many towns within its limits.

(*l*) Ib., fol. 55. Hall informs us of some curious particulars: Garter, king at arms, went to the cross of Edinburgh, where he admonished James III. to keep all his contracts and perform all his promises to Edward IV., to recompense the English subjects for the spoil and damage done to them contrary to his league, before the *first* of *August*, and to restore the Duke of Albany to his offices and estates, on the pain of being destroyed by the high and valiant prince, Richard Duke of Gloucester. But the king would make no answer. This transaction, as we see above, was in July 1482. The records in Rymer, before quoted, cast ineffable ridicule on this heraldic challenge. How much more dignified was the silence of the captive king!

the acclaims of the country; and all parties perceived that this was a fitter moment for negotiation than for the irritation of fire, or the hazard of battle (*m*).

The Scottish ministers, deriving a sort of spirit from the situation in which they were placed by treasonous intrigues, conducted themselves with adequate address, talents, and firmness. They sent as envoys to Gloucester, Andrew, the bishop elect of Moray, and John, Lord Dernelie, to answer his several demands which had been made at the cross of Edinburgh by the Garter-Herald (*n*). They transmitted at the same to Albany a free pardon for all his offences, and a full restoration to all his estates, offices, and his country (*o*). Albany appears now to have retired from Gloucester's camp, at Lethington, and to have joined the king's government at Edinburgh, where he could be of most use to himself, to Edward, and to Gloucester (*p*). But, a peace was still to be made with England. The embarrassment of Edward IV., arising from his double contracts for marrying his daughter

(*m*) The continuator of Harding intimates that Gloucester gave peace to Scotland, because the peers did not join Albany. Stow, 432, relates that Albany made the agreement with the Scottish government by the consent of Gloucester; and that Albany thereupon bound himself to Gloucester, by his oath and a written obligation, to fulfil the contract which he had made with Edward IV. at Fotheringay; yet it appears clearly from the dates of the documents throughout this negotiation that Gloucester, with his army, soon retired from Edinburgh to a safer camp at Lethington, behind the Tyne, near Haddington. He was certainly encamped at that place on the 3rd of August, 1482, Hall, fol. 65, a, who mistakingly calls the place *Levingtong*. On the contrary, the Scottish Ministers of State were undoubtedly resident at Edinburgh on the 2nd of August, 1482. Rym., ii., 161; and it was from those two places that the whole negotiation was carried on, the king being then within the castle of Edinburgh, not so much for his captivity as his safety. If he had been an imprisoned king, his ministers could not have acted for him or in his name.

(*n*) Hall's Chron., fol. 55. There was really no difficulty but in the English demand, and Albany's contract to relinquish Berwick, which the Scottish Government struggled to retain.

(*o*) Rymer, xii., 160, has recorded this "obligation for the security and indemnity of Albany," which was given by the Archbishop of St. Andrews, the Bishop of Dunkeld, the Chancellor, Lord Evendale, and Colin, Earl of Argyll, at Edinburgh, on the 2nd August 1482. He was thus restored, on condition that he kept his true and faithful allegiance to his brother James III., the king, and his successors, and to the good rule of the country, *keeping his bond to them* and *the rest of the lords of the realm;* they engaged that the king should freely give a remission to him and all those he should name for their being in England and *aspiring to the throne of Scotland,* except those who had been specially excepted in the king's proclamation in the last parliament [the Earl of Douglas and his followers. Black Acts, 66]; and the Scottish ministers further engaged to Albany to obtain for him and them a ratification of this obligation by the king and the three estates in the next parliament.

(*p*) Hall states the fact.

Cecilie to the prince of Scotland and to Albany, his uncle, was easily removed. The city of Edinburgh had the honour of removing that difficulty. The provost, the guild-merchants, and the corporation, engaged to repay Edward the money which he had advanced in contemplation of Cecilie's marriage with the prince of Scotland; provided he should declare by a certain day that he would rather have the money than the marriage (*r*). A persevering struggle now ensued about *Berwick*. The Scottish statesmen proposed, for the mutual peace of both the kingdoms, that the town and castle should be razed. But Gloucester firmly avowing his resolution to remain in Scotland till its delivery, and Albany interposing, in fulfilment of his contract, Berwick was on the 24th of August 1482 resigned for ever (*s*). A truce was thereupon entered into, between Gloucester and Albany, which was to preserve the two kingdoms from war, by land and sea, during somewhat more than a twelvemonth (*t*). On the conclusion of this enterprize, Hall very justly re-

(*r*) This curious "writing and letters of Band" was dated the 4th of August, 1482, and was executed at Edinburgh before the Duke of Gloucester, the Duke of Albany, the Bishop of Dunkeld, the Earl of Northumberland, Lord Stanley, Maister Alexander Ingliss, Archiden of Sanct-Andreu, and uther divers. Rym., xii., 162. We thus perceive that mutual fear had produced mutual confidence. Edward IV., as we are told by Hall and Habington, after the deliberation of his gravest counsellors, resolved to relinquish his contract, and to receive his money. On the 10th of October, 1482, he directed Garter King to signify this resolution. Ib., 161-65-67; but this circumspect officer was frightened at the magnitude of the charge wherewith he was entrusted, when he reflected that he had *the band* of the city of Edinburgh for 6,000 marks. He applied to Williame Heryot, knyght and maire of the citee of London, "to exemplifie and transsume the "said letters of band, word for word, withoute chaunge, in suche wise, that as grete feithe aught "to be given to such a transsumpt, as to the said letters originalles, both in judgement and out "of judgement. The tenour of the saide originall letters is such as followeth: *Be it kend to all men*, "be thie present letters, Ws, Walter Bartrahame, provest of the tone of Edinburgh, and the hale "fellowship of merchands, burgesses, and communitie of the same toune," &c. Ib., 164. Those who are curious in tracing the progress of language have here an opportunity of viewing specimens of the London and Edinburgh English of the year 1482. If I did not distrust my own impartiality, I should say that, in my opinion, the lord *provest* of Edinburgh wrote better English than the lord *maire* of London. The citizens of Edinburgh, who were devoid of the captiousness of the Edwards and Gloucesters and Albanys of the age, paid the money on the production of such a *transumpt*. But how the Garter King was able to convey 6000 marks through the double danger of the Scottish and English borderers without pillage, I pretend not to know.

(*s*) Hall, 56 b.

(*t*) In the same page Hall has preserved this treaty, with many other useful documents. It was dated on the 24th of August 1482, and the truce, which was appropriately called "an abstinence of warre, was to begin on the 8th of September then ensuing, and to "endure tyll the 4th of November next folowyng."

marks. Gloucester, who well perceived that the Scots granted more to his demands, for relief of their own necessities, than to gratify him, or the king, his brother, "lyke a wyse counseyler took his advantage when it was offered; "and, especiallie, because *these thynges made for his long desyred purpose* (*u*)." The subtilty of Albany, at the end of all those treacherous transactions, over-reached the cunning of Gloucester, and the artifice of Edward. He had contracted to deliver to the English king, on his being restored, Annandale, and Lochmaben castle; but, as he regained those important possessions as his own property, by his pardon and indemnity, he retained them, and relinquished Berwick. Yet, Gloucester, who knew the character of Albany, somewhat over-reached his artful coadjutor. When he perceived the cold reception of Albany at Edinburgh, the condition of the king, the spirit of the country; when he reflected that by restoring so unprincipled a politician to a situation from which he could embarass his brother's government, he naturally concluded that, when he himself should acquire the English crown, which was even then within his grasp, he would find Albany, if he were king, with his ability, enterprize, and knavery, a most dangerous neighbour. By thus investigating the true motives of all those insidious parties, we see distinctly the reason why James III., who had been virtually dethroned and actually imprisoned by the treasonous sedition of Angus, was permitted to retain his tarnished diadem (*x*).

The unhappy king still remained in Edinburgh castle. Yet, as Albany was restored, Angus rewarded, and the ministers of state performed, in the king's name, their usual functions at Edinburgh, the king was virtually free. But he was to be relieved at length from durance, by a ceremony which degraded him and elevated his brother. Albany, with the provost and citizens

(*u*) Hall. Habington. Hist., 202, had remarked, when Gloucester set out for Scotland, how he had then fixed his eyes on the English crown, "and began, like a cunning physician, to examine the state of the king's body, which, though apparently strong, he observed had evil symptoms of death in him, being overgrown with fat, and both in his diet and lust subject to disorder."

(*x*) During those negotiations for the restoration of Albany, Angus, conscious that he had committed murder and treason, appeared not on the disgraceful scene, while he saw from his concealment his associate Albany regain his old pre-eminence. On the 11th April 1481, he had been appointed, by the weakness of James and the intrigue of Albany, to be warden of the *east* marches. Parl. Rec., 267. After his horrible sedition at Lauder, in July 1482, he was appointed, by the influence of Albany, the warden of the *west* marches, on the 6th of August 1482. Crauford's Officers of State, 54, who quotes the charter in the public archives. In this manner, then, did this most insidious statesman obtain the command of the whole intrigue, management, and power of the borders. Yet what all those artful men thus obtained were gained from the losses of the nation.

of Edinbugh, marched against the castle whose enchanted gates flew open on their magical touch. The embrace of the two brothers confirmed the freedom of the one and the restoration of the other, and they rode together from the castle throughout the extent of the city, to Holyroodhouse, amidst the loud acclaims of a deluded multitude (*y*). Yet, in this real mummery, wise men could distinguish the simplicity of James from the artfulness of Albany. In addition to the vast estates and offices which Albany had regained by his restoration, the king now made him Earl of Mar, and Lord of Garioch, for his *loyalty, affection,* and *services,* though the Chancellor knew that Albany had come with an hostile army to dethrone the king (*z*), and the gratitude of James gave the citizens of Edinburgh, what they had amply merited, their *golden charter* (*a*).

The king about that time seems to have resumed the idle purpose of making a pilgrimage to the reliques of St. John at Amiens. Nothing can more strongly mark the feebleness rather than the ferocity of his character than this design, while Edward IV. undermined his throne, and Albany stood ready to push him from his seat (*b*). As Albany now engrossed all power, and directed all measures, we may easily suppose, from the duplicity of his character, that he may have advised his brother to perform a pilgrimage to Amiens, that he might accuse him of abdicating his government.

At length a parliament assembled at Edinburgh on the 2nd day of Decem-

(*y*) Pitscottie; Lesley, 310; Dr. Henry, v., 302. James III., saith an old chronicler, "was halden in the castell of Edinburgh fra the Magdalyne day [22nd July] quhill Michaelmas" [29th September], 1482. Pink. Hist., i.. 504.

(*z*) Henry's Hist., v.. 303, quotes the preamble of the charter to Albany from the Register, but forgot *the date.*

(*a*) Arnot's Hist. Edin., 13, who quotes the charter, which is dated the 16th of November, 1482; but Arnot disparages his own acuteness, by his misconceived account of those singular events. Maitland is still more absurd in his statements of the same events. Hist. Edin., 8, 9. James III. had given so many privileges formerly, as well as at present, to Edinburgh, that he was well entitled to common justice from her two historians. Ruddiman had, indeed, tried to blunt the malignity by confuting the falsehood of Buchanan, who was studious throughout this reign to display his own perversity and to record his merited disgrace. Notes on Buchanan, i., 445; Pref. to the Diplom. Scotiæ, xxvi. But the historians of Edinburgh equally shut their prejudiced eyes against the real merits of its citizens and the grateful beneficence of the king.

(*b*) Rym., xii., 170, has recorded a safe conduct, dated the 23rd of November 1482, for James III., to enable him to perform his intended pilgrimage. Edward IV. in this document avows his respect for James III., while he was plotting his ruin.

ber 1482, after a change had taken place of the king's ministers (*c*). In this parliament sat pre-eminent Albany and Angus, as his coadjutor (*d*). On the ninth day of the sitting of the Estates, they recommended to the king that Albany should be appointed Lieutenant-General of the realm (*e*). It is easy to perceive the motives which induced the parliament to deliver, in this manner, the king and nation into the artful hands of that insidious prince. The truce, which had been so recently made, did not preserve the quiet of the contiguous kingdoms. Angus, as we have seen, was at that troublous time warden of the east and of the west marches, whose duty it was to maintain their tranquility. But unhappily for the king and people, it was one of the artifices of faction, during that corrupt age, to create disturbances on the borders in order to distress both by foreign war. The Estates did not see that Albany and Angus had promoted hostilities to alarm the country; and thereby to gain their ambitious objects, and the Estates ordained preparations for war; yet, directed that every measure of peace might be zealously pursued (*f*).

Albany seems now to have used the means, which were thus put into his hands, to seize the king's person and to overpower his government. He was, in fact, governor of the kingdom as lieutenant general; but still pursuing his late projects of usurpation, nothing could satisfy his overweening ambition but the kingship itself, in exclusion of his affectionate brother. During the holy days of Christmas, 1482, Albany appears to have attempted to carry into effect his odious design. The king, who then resided at Edinburgh seems to have had some intimation of his brother's purpose; and by retiring into the castle, and rousing the citizens, who were attached to their beneficent sovereign,

(*c*) Lord Evandale, who had been Chancellor from 1460, resigned his office soon after the restoration of Albany, and was succeeded by John, Bishop of Glasgow. Crauford's Officers of State, 38-9.

(*d*) Parl. Rec., 282. (*e*) Ib., 292.

(*f*) On the 11th of December, 1482, an Act was made that peace should be taken with England, if it could be had, with honour; that the alliance and marriage which had been formerly agreed on should be renewed, if the king will consent; and for those ends the lion-herald was directed to repair to Edward IV., from the King, from Albany, and from the whole Estates. Parl. Rec., 291. An Act was at the same time ordained for making preparations for war. Ib., 292. The Parliament adjourned on the 14th of December to the 1st of March thereafter. Ib., 293. Proposals had, indeed, been lately made for marrying Margaret, the king's sister, to Earl Rivers; and a safe conduct was granted for her on the 22nd of August, 1482 (Rym., xii., 163), and renewed on the 4th of December, 1482 (Ib., 173); but there was no result, and there seems from the silence of Rymer to have been no safe conduct granted to the lion-herald, in pursuance of the parliamentary recommendation.

Albany was disappointed (*a*). This unscrupulous prince immediately retired to his castle of Dunbar, to consider of more efficacious means to gain his villanous purpose (*b*). To this secure retreat was he followed by his usual coadjutors, the Earl of Angus, Lord Gray, and Sir James Liddel of Halkerston; and these three persons he thence dispatched as *his special envoys* to Edward IV. to treat, and conclude with the English king, concerning *what had been formerly agreed upon between them* at Fotheringay castle (*c*). The odious objects of that agreement, as we have seen, were the dethronement of the king, the invasion of the country, and the subduction of the sovereignty to a foreign power. The envoys of Albany, who did not now state himself to be king of Scots, immediately repaired to London, where they were warmly received by the unscrupulous Edward. He soon appointed proper commissaries for such nefarious objects (*d*). Such willing negotiators did not sleep upon their welcome business (*e*), and they entered into a treaty for explaining enlarging and enforcing the several points which had been in 1482, agreed on at Fotheringay; stipulating for mutual amity, and several assistance, towards conquering Scotland for Albany,

(*a*) The Scottish historians so misconceive, and so mistake every action of this well-intentioned sovereign, that it is only from original documents that we can see a glimpse of the truth through the mist which their ignorance or design raise before our eyes. On the 3rd of January, 1482-3, James wrote from Edinburgh to Sir Robert Arbuthnot of Kincardineshire, the progenitor of the Viscount Arbuthnot, "that he had been certainly informed certain persons to great numbers were gathered treasonably to have invaded our person, this *last thursday*;" and "he therefore prays him to come to his assistance, as you love the welfare of our person, *succession*, realm, and lieges, and you shall have special thanks and reward of us." The original letter is quoted by Nisbet in his Heraldry, ii.. App., p. 89; but the fact is too important to be here obscured by the ancient orthography. The king, we thus see, was plainly apprehensive of a second attack from Albany at the head of a greater body of insurgents.

(*b*) He was within the castle of Dunbar on the 12th of January, 1482-3, only *nine* days after the date of the king's letter to Arbuthnot as above. Rym., xii., 172.

(*c*) Id. Rymer has recorded Albany's full power to his envoys, with the true object of this singular mission. It was even treasonable to go into England in that age without the king's consent. It was still more treasonous to negotiate with a foreign power for the king's dethronement; and those three envoys knew that they were acting traitorously.

(*d*) His full power to the Earl of Northumberland, Lord Scrope, and Sir William Parre, to treat with Albany's envoys, is dated on the 9th of February, 1482-3. Rym., xii., 173.

(*e*) The convention which they made was dated two days after their power, viz., on the 11th of February, 1482-3. Albany's envoys are said in the convention to have been "born and inherited within the reaume of Scotland;" and to have treated "as wele for their owne proper interresse, as for the part of the said *Duc* and his friendis and wele willers." Id.

and France for Edward (*f*). Such then were the significant but treasonous stipulations of this convention, between Edward IV. and Albany, which was thus negotiated, in February 1482-3, by Angus, Gray, and Liddel! It distinctly exhibits to the reader's eye the various motives of the several parties; and we thus perceive, that Angus connected himself with Albany, as a secondary means, but not as a final end; that the restoration of the forfeited Earl of Douglas was his genuine object: that to this end, he had committed sedition and murder at Lauder; and for this end, he followed James III., as an evil genius, with the dagger of revenge concealed in his bosom, till he gave the unfortunate king his death-blow on Stirlingfield.

(*f*) (1) They stipulated for friendly intelligence and convenient aid against all persons that would attempt the contrary; (2) that between the subjects and well-willers of either party there should be abstinence of werre, provided Albany should specify to Edward, his *subjects* and friends, and also his opponents near the borders, to the intent that such advantage may be taken against them as shall be fit for both the parties; (3) that during this truce Albany should daily endeavour *to make a conquest of the crown of Scotland* to his proper use, so that he and his friends, the nobles, may *do the greatest service against the occupiers of the crown of France;* (4) that the king of England aiding Albany towards the conquest of the crown of Scotland, Albany shall not cease from this purpose for any offers that may be made him by his brother, the king of Scots, nor live under his allegiance; (5) that within forty days after Albany shall have acquired the crown of Scotland he shall annul the alliance of France with Scotland; (6) that Albany, having obtained the crown, shall declare war against France, for the conquest of it to England; (7) Edward agreed to help Albany with adequate force to conquer the crown of Scotland, and "in case there should happen any great day of *rescus* of *the Due*, or any other necessary defence for him, the king of England should help him with such force as his own friends and *God's grace* should suffice," that is, if Albany should be besieged in his castle of Dunbar, Edward agreed to send his wardens, Gloucester and Northumberland, to his aid; (8) that neither Albany nor his supporters *should ever claim the castle and town of Berwick*, so that Edward and his heirs should possess them for ever: (9) that Albany being king, and at *freedom of marriage*, should marry one of Edward's daughters, without any charge to him; (10) that Albany and his friends, when it shall please Edward to write for the restoration of James, Earl of Douglas, they shall provide that he be immediately restored according to the convention which had just been made between Earl Douglas and the Earl of Angus, with the other envoys of Albany; (lastly) Angus, Gray, and Liddel, agreed that, if Albany should die in the meantime, they never should live under James, king of Scots, as his subjects, but under the king of England; and shall retain their castles, strengths, and houses, only for the king of England; and all this Angus, Gray, and Liddell, *promised on their feiths, honneurs, and knighthod.* Rym., xii., 173-76, has recorded this scandalous convention. There was a separate article, by which the envoys of Albany stipulated that during the truce, the borders of Scotland should not be strengthened, "by any bylding of lyme and stone," nor any disturbance given to the occupiers of the lands of Gloucester on the one side, and of Albany and Angus on the other side. Id.

Albany remained meantime in Dunbar castle, conscious of a thousand crimes, while he saw his countrymen rising against him in pursuance of the king's summons. While he was thus stung with guilt, and perplexed with opposition, he heard that Edward IV. had died, on the 9th of April 1483 (*g*). As his last hope for the consummation of all his ambitious projects, from all his crimes, was now gone, he fled to England; having first garrisoned his castle of Dunbar with Englishmen from Berwick. His negotiations at London had not altogether escaped the notice of his brother's ministers; and they were aware that he had introduced hostile troops from Berwick into his castle of Dunbar. On the 15th of May 1483, summonses were issued against Albany, and his envoy Liddel, to answer various charges of treason in Parliament. The three Estates began to hear those accusations against them, on the 27th of June 1483; and, after deliberating till the 8th of July, they found them both guilty of the imputed treasons (*h*). The Earl of Angus and Lord Gray, who were, as we have seen, equally guilty of the same treasons, were not impeached owing to whatever cause. They were present in that parliament; they sat as judges on the trial of Albany their employer, and Liddel their coadjutor; and they were two of the committee of parliament which was appointed to pursue the defenders of Albany's castle and to impeach all those who were anyways concerned in his manifold treasons (*i*). Such facts would be incredible, if they were not stated on the parliamentary Record. Angus and Gray had even the unparalleled effrontery to sit as judges in the subsequent parliaments, on the trials of their own associates in the same treasons, though such culprits were indeed only "traitorly rascals," when compared with those prodigious traitors (*k*).

Albany now joined the expatriated Earl of Douglas in England, where they constantly incited Richard's malignity to invade their injured country (*l*). They made an inroad themselves with five hundred men from the western border, and riding forward, on the 22nd of July 1484, to Lochmaben fair, they were encountered by the country gentlemen, who put themselves at the head of the Annandale yeomanry; and who took Douglas and repulsed Albany. Other inroads were incited by that attainted prince; but the truce of Notting-

(*g*) On the 22nd of June 1483, the Duke of Gloucester, the murderer of Edward's sons, seized his crown, as is sufficiently known to every one. What a retribution for the treachery of his conduct to the unhappy king of Scots!

(*h*) Parl. Rec., 295-301; and the titles and estates and offices of both were forfeited to the crown.

(*i*) Parl. Rec., 294-5. (*k*) Id.

(*l*) They were with Richard at York, on the 25th of June 1484. Rym., xii., 228.

ham, on the 21st of September 1484, quieted the contiguous borders during the three subsequent years (*m*). The embarrassments of Richard required him to cultivate peace with Scotland; and his late treaty, as well as his real interest, dictated the expulsion of the expatriated traitors of North-Britain. The turbulent Albany, whose miscreancy was known to Richard, was thus constrained to seek for solace in the bosom of his French concubine. He died in 1485, in consequence of a wound which he received in a tournament at Paris, and which prevented the disgrace of dying on "the block of shame (*n*)." It is unnecessary to observe that he left behind him, neither titles, nor office, nor estate, and indeed, nothing but two sons and the tradition of his villanies.

As the attainder of Albany had transferred his whole estates to the crown, the parliament of October 1487 annexed his forfeitures to the royal demesnes (*o*). Yet the unhappy king was not to enjoy long those rich annexations. The partizans of Albany, and of Douglas, with the Earl of Angus at their head, continued their intrigues and their machinations against him, till James III. fell before them on Stirlingfield. He lived in a profligate age. His contemporaries, Edward IV. and Louis XI., were profligates. It is difficult to decide whether the English Gloucester or the Scottish Albany were the greatest miscreants. Yet inquiry will find that, of the princes of Europe during that period of crimes, James III. was the most innocent, the most harmless, and the most beneficent, though he has been misrepresented by history as a tyrant. But the Estates of Scotland pronounced his best eulogy when they advised him, after a reign of lenity, to punish, in pity to his people, those traitors who disturbed their quiet and endangered his own safety (*p*). He fell a sacrifice to the machinations of a treasonous faction, and his usual weakness, on the 11th of June 1488. It is perhaps

(*m*) Rym., xii., 235-43.

(*n*) Lesley, 326; L'Art de verefier les Dates, ii.. 371, of the *third* edition.

(*o*) Parl. Rec., 323-4. There was then annexed to the crown the earldom of March, the baronies of Dunbar and Cockburnspath, with the fortalice thereof, the lordship of Annandale, with the castle of Lochmaben. Id.

(*p*) The last ten years of his reign were continued scenes of treason and rebellion, yet was there not punished one person of the rank of a gentleman. Even the Earl of Douglas, who had been proscribed by so many parliaments for his manifold treasons, when he was taken in the act of invading his country in 1484, was only sent to a monastery for repentance, rather than for punishment. The very parliament that convicted Albany's partizans in February 1484-5, signified to the king the expediency of doing justice on those and other traitors. Parl. Rec., 313; Black Acts, fol. lxx. So much was James III. inclined to lenity, that the Estates, on the 24th February 1484-5, beseeched him not to give pardons during two years to persons convicted of felony and other crimes. Id. Yet such was his tenderness or facility, that he did not keep his promise. Henry's Hist., v., 306.

a still greater tribute to the lenity of James III., that the common people, after his sad demise, long lamented his fall, and loudly called on parliament to punish his assassins (*q*).

But the first parliament of his infant successor more busied itself in rewarding the successful insurgents. In October 1488, the supreme rule of several districts, during the king's nonage, was invested in various persons. To Lord Hailes, and Alexander Home, the heir of Lord Home, were assigned the Merse, Lothian, the wards of Haddington, Linlithgow, and Lauderdale. The earl of Angus had the sheriffdoms of Roxburgh, Selkirk, Peebles, and Lanark. Among those insurgents was Lord Home's grand-son, who had conducted the spears of Berwickshire against the king to Stirlingfield (*r*). Alexander Home was, moreover, made great chamberlain for life on the 7th of October 1488 (*s*). On the 15th of February 1490-1, was appointed by parliament, Alexander Home, the great chamberlain, to bring in the king's rents and other dues within the earldom of March, the lordships of Dunbar, and of Cockburnspath, and within the forest of Ettrick and Stirlingshire, he having the houses of *Newark* and *Stirling* (*t*). In this manner, then, was Alexander Home made dictator of Berwickshire and a ruler of the land. The blood of this ambitious person was derived, as we have seen, from the Earl of Dunbar, and of King William, by a bastard daughter. It became afterward diluted by meaner marriages. It was enriched during the reign of Robert III. by the marriage of Thomas Home with Nicolas Pepdie, who brought him the lordship of Dunglas (*u*). This family continued to hold Home, Greenlaw,

(*q*) The Parliamentary Record. 373, states that interesting fact on the 20th February 1491-2.

(*r*) Ib., 337.

(*s*) The patent in the Records to Alexander Home for that office is quoted by Crauford's Officers of State, 323. He was then *Master* of Home, and he had other rewards which ensured him an extensive sway.

(*t*) Parl. Rec., 364. Alexander Home had already, on the 26th of August 1489, been made warden of the *East* Marches, captain of Stirling castle, governor of the king, tutor of his brother, the Earl of Mar. Officers of State. 323, which quotes the great seal record. Crauford adds that he was "in effect prime minister all the reign of James IV., being afterward made warden of the *West* Marches." Id. This intimation ought to be restrained to the minority of the king.

(*u*) Crauford's Peer., 220. Of that marriage was born Alexander, the heir of Thomas, who died in 1402 ; and David, who obtained of the Earl of Douglas for his services the lands of Wedderburn in Berwickshire, in 1414. Id. Here, then, was the origin of the Homes of Wedderburn. In a few descents arose the Homes of Tyningbame and of Spot, of Ayton and of Fastcastle. Id. On the 11th of June 1479, were accused in Parliament, as partisans of Albany, in treasonably holding the castle of Dunbar against the king, George Home of Wedderburn. Patrick Home of Polworth, Andrew Home, and one and twenty other inhabitants of Berwickshire, who appear to have been often called, but never convicted. Parl. Rec., 255-71.

Whiteside, and other lands in Berwickshire, under the Earls of March, till the forfeiture of their chief in January 1435. When that earldom was annexed to the crown, the Homes acquired independence by becoming tenants of the crown instead of being vassals of the earldom of March. On the emigration, indeed, of the Earl of Dunbar, in 1400, the Homes and Hepburns attached themselves to the Earl of Douglas, who acquired for a time the earldom of March; and they even fought with him against their chief, at the battle of Homildon, on the 14th of September 1402 (*x*). Sir Alexander Home fell, at the battle of Verneuil, on the 17th of August 1424, fighting under the Earl of Douglas. The Homes, as they had at length risen on the fall of their chief, and as they followed the fortunes of the Douglases, were often appointed conservators of the peace with England (*y*). Sir Alexander Home succeeded his father, Alexander, in 1456, and he was appointed by the prior *Bailie* of the several lands belonging to the convent of Coldingham, an office to which the Homes annexed great importance, and for which they fought with great perseverance (*a*). Yet higher honours awaited him. In 1465, he sat in *the Estates* among the *barons* (*b*); and in 1473, he was created a *lord of parliament* (*c*). When Albany took possession of his earldom of March, in 1474, he had a thousand disputes to settle with the Homes and the Hepburns, who tenaciously retained whatever they claimed. But such was his superiority of birth, of vigour, and of subtilty, that he prevailed over rugged men before he began, in 1478, to contend with the king. Lord Home sat in parliament for the last time, in October 1479 (*d*); owing to whatever cause, of age or of disinclination. Whether he assisted Angus, Orkney, and Gray, to assassinate the king's menial servants at Lauder, in July 1482, is somewhat doubtful (*e*).

(*x*) Bower; Fordun, l. xv., c. 14.

(*y*) Rym., xi.

(*a*) Macfarlane's MS.; chart. 65, lib. 13.

(*b*) Dougl. Peer., 344; Parl. Rec. 149.

(*c*) Ib., 174, 191. On the 10th of July, 1476, a cause was moved in Parliament by Sir John Swinton of Swinton against Alexander Home, John Home his brother, David Home of *the Spot*, and others, for an error in serving a *brieve* of inquest on the lands of Craushaws. Parl. Rec., 206-10. It exhibits a curious trait of manners during a rude age to see Alexander *Lord Home*, Robert Lawder of Edrington, Adam Blackader of that *ilk*, and the lion-king, appointed by James III., on the 2nd of February 1477, to conduct to Edinburgh the persons who were conveying from Edward IV. 2000 marks as an instalment of his daughter Cecilie's portion. Rym., xii., 41.

(*d*) Parl. Rec., 251; 282.

(*e*) Pitscottie, 123, says he was present. The silence of Lesley is more persuasive that he was not assisting. He was probably aged at that disgraceful epoch, and having had disputes with Albany, may have stood aloof from such treasonous mischief, which was more fit for younger men. He certainly was not present in Albany's parliament of December 1482. Parl. Rec., 282.

Lord Home out-lived James III. long enough to behold his grandson, Alexander, act a leading part in the odious tragedy on Stirling-field and to be rewarded for his crimes (*f*).

Lord Home's eldest son, Alexander, died before him ; leaving, among other children, a son, Alexander, who raised himself to eminence, among the great during a guilty age (*g*). As the Homes had long been the *bailies* of Coldingham priory, they naturally looked forward to the propitious day when they should possess the priory and its property as their own. But James III. unconsciously disappointed their hopes, in 1484, by annexing the priory, with its pertinents, to the royal chapel of Stirling, and the Homes now brought a great accession of strength to the traitorous nobles, who plotted the ruin of that unhappy king. After the *pacification* of Blackness, that rebellious faction sent their envoys to Henry VII., with whom then resided Ramsay, Lord Bothwell, the ambassador of James III. (*h*). Henry VII., who regarded appearances more

(*f*) We may infer from the Parl. Rec., 361 and 367, that Lord Home died between February 1490 and April 1491. His grandson, Alexander, was served heir to him in 1492. Dougl. Peer., 344. Lord Home's son Alexander, who died in 1488, obtained the office of *stewart* of the *stewartry* of March. Id.

(*g*) In the parliament of February 1483-4, sat at the head of the *barons* (Lord Home being absent), Alexander Home *de Eodem*. Parl. Rec., 303. From the context of this record, Alexander of Home appears to have been the grandson, and not the son of Lord Home, and to have succeeded his father as *master* of Home, and as *master* of Home he sat in parliament in pursuance of the king's writ. He again sat in parliament in May 1485. Ib., 316. Alexander Home and George Home of Ayton were two of the commissioners who met the English envoys at Hadenstank, on the 8th of October 1484, to settle border disputes. Rym., xii., 246. In April 1485, Alexander Home was one of the Scottish commissioners who were sent to treat about the truce, Ib., 267. On the 4th of August 1493, a safe conduct was granted to Alexander Lord Home, the Great Chamberlain of Scotland, John Home of Ercildoun, Patrick Home of Polworth, Alexander Home, *in le Donne*, Gerard Home, and others, to go on a pilgrimage into England. Ib., 548.

(*h*) On the 6th of April 1488, the Scottish ambassador, John Ramsay, Lord Bothwell, celebrated his Easter with Henry VII. Leland's Collect., iv., 240. In May 1488, Henry VII. granted a safe conduct to Robert, the Bishop of Glasgow, George, the Bishop of Dunkeld, Colin, Earl of Argyle, the Chancellor, who had disgraced himself by joining the rebels, Patrick, Lord Hailes, Robert, Lord Lyle, Matthew, master of Darnley, and *Alexander, the master of Home*. Ib., 340. Rymer mistakingly states this safe conduct to be "pro *ambassatoribus Scotiæ*." Id.; and an incautious inquirer would thus suppose them to have been *the king's* envoys; but the context of the story shows them to have been the rebel's agents. Lesley, 327; Ferrarius, fol. 399; and the pope's remission for the atrocious acts of the rebels extended to the temporal and *spiritual* lords. Abercromby, ii., 482. Bishop Blackader of Glasgow and Bishop Brown of Dunkeld were connected with the Homes and Hepburns on that odious occasion.

than Edward IV., appointed only inferior agents to sound those insidious envoys (*k*).

How much Alexander Home, who succeeded his father in 1491 as Lord Home, was rewarded for his crimes, we have already seen. He, moreover, obtained from the infancy of James IV., various lands in the constabulary of Haddington in *feu-farm*, which seems to have been contested with him in parliament. In December 1494, the lords auditors, however, determined that Lord Home ought to retain those lands as the last lawful possessor (*l*). Lord Home, from this epoch, seems not to have been specially employed by James IV., and he was too well endowed by his sovereign to engage in acts of turbulence or to act in scenes of adventure. His rival, Patrick Earl of Bothwell, was the chief negotiator of the king's marriage with Lady Margaret of England in 1502 (*m*); and, in the subsequent year, the whole earldom of March and lordship of Dunbar, except the castle, with Cockburnspath, were settled on the Lady Margaret as a part of her jointure (*n*). After the sad demise of James IV. on Floddon-field, the widowed Margaret enjoyed all those estates till her decease in June 1541. Alexander Lord Home, who, probably, was now well stricken in years, died in 1506, and was succeeded by his son, Alexander, who was returned heir to his father on the 26th of October 1506 (*o*). The third Lord Home succeeded to his father's office of Great Chamberlain, to his estates, and to his power in the state (*p*). The wisdom of Henry VII., and the marriage of Margaret, long ensured a commodious peace with England, though the irascible borderers sometimes gave and received mutual blows. In 1513 inroads began, and a sharp skirmish took place at Millfield, on the southern margin of the conterminous Tweed, where Lord Home, the warden of the eastern marches, was obliged, after a stout resistance, to find his safety in flight, having lost his banner and left his brother George a prisoner in hostile hands (*q*). James IV., eager to revenge that repulse, marched a large army, including the flower of Berwickshire, to Floddon-field, where he was defeated and slain. Lord Home, who, with Huntly, led the right wing of the Scottish army, is accused of betraying his valorous king on the fatal 9th of September 1513; but the

(*k*) Rym., xii., 340. (*l*) Parl. Rec., 453.

(*m*) By that marriage contract, the town and castle and bounds of Berwick were confirmed to England for ever. Wallis's Hist. Northumb., ii., 81.

(*n*) Rym., xiii., 63, on the 24th of May; and on the 29th of May, 1503, the Lady Margaret's attorney, Robert Sl ireburn, the dean of St. Pauls, obtained seisin of the whole from the sheriff of Edinburgh, at the market-cross of Dunbar. Ib., 66-7.

(*o*) Dougl. Peer., 345. (*p*) Id. (*q*) Lesley, 361; Holinshed, 1483-7.

death of so many Homes, who fell on that afflictive field, confutes sufficiently the calumny of ill-informed history. The valour which was displayed by the king and his nobles on that disastrous day, is not more honourable than the resolute firmness wherewith "the amazing news" were received by the Scottish people.

Margaret, the youthful widow of James IV., became regent during the infancy of their son James V. At the convention of Stirling on the 19th of September 1513, Lord Home, the Chamberlain, was present when the coronation of the king was directed, and he was appointed one of the queen's council when her authority was recognised (*r*). He was again present in the convention of Perth in October 1513, when he was declared one of the queen's standing counsellors (*s*). Dacre, the English warden, caused his marauders to ravage Lord Home's estates, and the Lord Chamberlain, in his turn, pursued the invaders with inferior forces into Teviotdale, whence he obliged the spoilers to retreat (*t*). Lord Home soon after obtained from the convention of Perth, that the heirs of those on the borders, who might be killed in defending the kingdom, should be freed from the payment of relief for their wardship or marriage (*u*). This immunity thenceforth settled into a general practice, as it was so often necessary to incite the enmity of the borderers and to urge their perseverance. Such was Lord Home's personal influence on the public councils, that he was appointed, in March 1513-14, the chief justice on the southern side of the dividing Forth (*x*). Meantime an event occurred which was attended with lasting consequences. On the 26th of April 1514 appeared before the Scottish parliament two ambassadors from Louis the

(*r*) Parl. Rec., 525.

(*s*) Ib., 529. The Lord Chamberlain took upon him on that occasion "the rule of *the Merse*, and to preserve it from all reifs, slaughters, and other attempts; and he engaged to convene the headsmen of Teviotdale, Liddesdale, Eskdale, Ewesdale, and Annandale, in order to induce them to undertake the good rule of those frontier districts." Id. Lord Home, and the Earl of Angus, the son of him, who will be always remembered for his misdeeds at Lauderbridge, were at that epoch the most influential men of Southern Scotland.

(*t*) Dacre's Orig. Letter of the 13th of November, 1513.

(*u*) Parl. Rec., 536. This ordinance was passed at the request of the warden and the border chiefs, in imitation of a similar act which was made at Twizelhaugh, in Northumberland, before the battle of Flodden. Id. *Fast castle*, Lord Home's chief fortlet, was directed on the 10th of January, 1513-14, "to be provided with men, artillery, and victual." Ib., 539-40; and it soon became the scene of much struggle.

(*x*) Orig. Letter, Dacre to Henry VIII. Calig., b. iii., 25.

French king (*y*). They now laid before *the Estates* two points for consideration, the renewment of the ancient league with France, and the restoration of the attainted Duke of Albany's son. After some disputation both those proposals were unanimously adopted (*z*). Sir James Hamilton and the Lyon-Herald departed to France in April 1514, to invite the Duke of Albany to Scotland in pursuance of the late parliamentary resolution. After some adjournments, the estates again assembled on the 12th of July 1514; but they seem to have done little besides sending two of the clergy into England to negotiate for peace. On the 28th of July 1514, the envoys who had been sent to France returned with excuses for the detention of Albany, while the French king was secretly treating for a pacification with England, which was concluded in the subsequent October. In the midst of all those intrigues, the queen mother, by marrying the Earl of Angus on the 6th of August 1514, sacrificed her passion for rule at the shrine of love. She thereby lost her right of government, her guardianship of the king, and she incidentally involved

(*y*) Parl. Rec., 536. The two envoys were de la Bastie, who figured in the Scottish history during that minority, and met his grievous fate in Berwickshire, and James Ogilby, a Scotsman.

(*z*) The expressions of the record are: "The said lords commoning, and *disputan* upon the said tua articles, and thereafter ryplie avisit, all in ane voice deliverit as to the first." Parl. Rec., 536. The proceedings of Parliament seem here to correct the general tenor of Scottish history with regard to those points. The renewment of the ancient league with France was so natural, while England pursued the Scots with enmity, that it was readily adopted; as indeed it was under every minority. It seems to have been forgotten by all parties that the late Duke of Albany stood attainted of treason at his death, in 1485, and of course could not transmit his blood, his title, or estate to any heir; his eldest and his lawful son claimed nothing from him. It is usually said by historians that both public and private messengers had been sent to the French son of that duke to return to Scotland, particularly that Lord Home, the Chamberlain, had sent the lyon herald to carry him a special invitation; but without considering the improbability of an individual doing this during the sitting of Parliament, the record shows that the Earl of Arran and Lord Fleming, having been ordered by the late king to serve in the armies of France, had voluntarily suggested to the French king, after the disaster at Flodden, the fitness of sending the young Duke of Albany with assistance to Scotland. The Estates now consented "that the Duke "of Albany should come home to Scotland, for helping the realm against the enemy, to do service "to the king, the queen, and country, with all munitions for war; and that Sir Robert Stewart "and all other Scotsmen serving in France should return for defence of the kingdom." Id. We may thus understand that there was here nothing said of reversing the late duke's attainder, or of his son being declared the second person in the kingdom, or of his being regent. Neither Arran nor the queen suspected that in a few months the parliament would place Albany above both their heads, whatever might be their several pretensions. It seems certain, however, that when the son of the late Duke of Albany landed in Scotland from France, he assumed the port, perhaps the power of regent.

the nation in inextricable anarchy. Lord Home had engrossed in the meantime vast power, and tried to amass great property (*a*). The venality of Lord Home conducted him by various steps, during an anarchical age, to his ultimate ruin (*b*).

A parliament meantime met at Stirling on the 24th of February 1514-15 (*c*). As the three estates were balanced by contending interests, they could not agree on any efficient measure, and they adjourned till the arrival of Albany in the subsequent April (*d*). On the 15th of May was meanwhile made a three years truce with England. Yet, on the same day, the English entered the border and ravaged the banks of the Rule water (*e*). At length arrived the long-looked for Albany at Ayr, on the 17th of May 1515, with eight ships, some troops, and much amunition. On the 26th he came to Edinburgh, where he was received "with sundrie concerts, pageants, and "plaies, by the citizens, who wished to do him honour (*f*)." A convention of nobles soon after met at the same city, when Albany assumed the government of the realm, which he promised to rule by their advice (*g*). The Estates assembled at Edinburgh on the 12th of July 1514, who appear to have been called in the king's name, but by Albany's authority (*h*). His powers whence-

(*a*) Margaret, in writing her brother on the 23rd of November, 1514, assured Henry VIII. that Home had assumed all the power, and had seized the escheat of a bastard, which was estimated at £10,000 Scots. Orig. Letter, Cot. Lib., b. i., 164. He acted thus as Chamberlain; yet in January, 1514-15, Lord Home rejected a proposal of Arran to seize Angus; and in May, 1515, Lord Home was induced, by the artifices of the Queen Dowager and Lord Dacre, to join her party in favour of England; and she agreed to give him 3000 marks, with other advantages, on condition of his supporting her and Angus, her husband. Orig. Letter, Cal., b. ii., 226.

(*b*) In the winter of 1514-15, Lord Home supported Andrew Foreman, a native of the *Merse*, and bishop of Moray, in his pretensions to the see of St. Andrews; and Home sent his brother to Edinburgh with an armed force to proclaim Foreman's bulls. John Hepburn, the prior of St. Andrews, one of Foreman's competitors, is said to have revenged himself by instigating Albany against Home. Pitscottie, 224-5.

(*c*) Parl. Rec. (*d*) Id.; Lesley, 375. (*e*) Holinshed, 302.

(*f*) Ib., 303. Lord Home met Albany at Dunbarton on the 18th of May, with a body of horsemen, who were all clad in *Kendalgreen*, the *baige* of the Homes. As the Great Chamberlain was but a little man, Albany said to his favourites, of Home, "*minuit præsentia famam.*" Godscroft, 243; Crauford's Officers of State, 324. This intimation implies, however, that his fame had passed into France, with, perhaps, some hint of his venality. This intimation proves also that Home had not invited Albany.

(*g*) Holinshed, 303.

(*h*) Id.; Black Acts. The recital supposes that Albany was already *tutor* to the king and *governor* of his realm; but it appears not by whose authority he acquired those powers.

soever derived were now confirmed; and those emblems of authority, the sceptre and sword, were delivered to him, when mutual oaths were taken to strengthen a brittle chain of unnatural connection (*i*). Henry VIII., considering Albany as an agent of France, opposed his power (*k*). During this session a plot by the dowager queen, her husband, Angus, and Lord Home, to carry off the king, was discovered. But the regent marching hastily to Stirling Castle, which was readily surrendered to him, secured with it the royal person (*l*). This seems to have been the signal for civil war. Albany collected a large force on the Burgh-moor of Edinburgh; and his opponents gathered troops, and fortified their castles, on the borders. But the regent seems to have prevailed. Two of Lord Home's fortlets, Fast Castle and Home Castle, were taken. The former, he retook and razed; and, though he obtained Blackadder Castle from Albany's friend, and was promised help by Henry VIII., yet was he obliged to look for safety in England, when the regent advanced to the Tweed in hostile array.

The regent after ravaging the lands of Home and razing the castle of Blackadder, returned to Edinburgh, where he disbanded his army, without performing any exploit, which could raise his fame as a soldier or statesman. Home gratified his malignant revenge by making some incursions into Scotland. Albany now tried his artifice on Home, since his force had failed. He caused the French Ambassador, De Planis, to offer an amnesty, and to send a pardon to that potent chief, with a request of a conference on some important points.

(*i*) Holinshed, 303.

(*k*) Dacre, the English warden, artfully instigated Lord Home against the regent Albany, as appears by his letter of the 1st August 1515, to the English Privy Council; and in return the servants of Henry VIII. instructed Dacre "to nourish the enmity between Home and Albany." Orig. Letter Calig., b. ii., 281. Lord Home, as provost of Edinburgh, was ordered by Albany to arrest Sir George Douglas, the brother of Angus; but Home refused, pretending that the parliament had not decreed his arrest, and it was more the duty of a herald. Sir George retired to *the Merse*, and Home at the ssme time to *Newark* castle in Selkirkshire. Id. Albany's servants pillaged Home's residence in Edinburgh, and Patrick Panter, the secretary, for his attachment to Home, was committed to Inchgarvey strength, while his goods were spoiled. Dacre's Letter to the English Council, 7th August 1515. Calig., b. ii., 301. Augus retired to Teviotdale to concert with Home projects of defence and purposes of enmity to Albany. The regent attempted in vain to gain the queen and Angus.

(*l*) That act of vigour was performed on the 3rd of August 1515. But the illustrious plotters had fled first to the borders and afterward into England, Lord Home having conducted the dowager queen from Linlithgow palace to Blackadder castle. Holinshed, 303; Orig. Credence. Calig., b. ii. 85. They were all well received by the warden Dacre, and Home and Angus now swore "that they would never treat with Albany without the knowledge of the English king."

Home, disappointed by Henry VIII., agreed to meet Albany in the castle of Dunglas. He was instantly arrested ; and when the treacherous regent insisted on a temporary banishment to the continent, the Chamberlain consented to a proposal which he could not withstand. Yet was he committed to Edinburgh Castle, which was then under the charge of the Earl of Arran, who had married the sister of Home (*m*) ; and such was the universal laxity of morals during so wretched an age, that the prisoner Home, prevailed on the commander, Arran, to escape with him to the congenerous borders (*n*).

In March 1516, Home and Angus feeling themselves neglected by Henry VIII., and perceiving themselves excluded from future aid by the pacification with France, made their peace with Albany. They were now restored to their country, to their honours, and to their estates (*o*). They remained for a while quiet ; but when Henry VIII., with his usual imprudence and dictation, applied to the Scottish Parliament in July 1516, to dismiss Albany from the regency, Lord Home joined in the general vote of positive refusal (*p*). Home and Angus continued united in the same views and the same efforts, which greatly contributed to the distraction of an unquiet land (*q*). But Lord Home had now run his devious race of many changes. He and his brother, William, were inveigled, by the artifice of Albany, to Edinburgh in September 1516. After some imprisonment, they were convicted in Parliament of many crimes, which, as they had been pardoned by the regent on a public principle of general quiet, were crimes no more (*r*). Lord Home was executed in pursuance of his doom, on the 8th of October, 1516 ; and his brother, William,

(*m*) Orig. Letter of Dacre and Magnus to Henry VIII., dated the 18th of October, 1515. Calig., b. vi., 110.

(*n*) Id. Angus, Home, and Arran now signed a bond, engaging to deliver the young king and his brother from suspicious hands, to assist each other, and not to make any agreement with Albany without the consent of all the contracting parties. Ib., 124, where there is a copy of the confederate bond. In the subsequent November, Home imprisoned the lyon king in one of his border strengths, till Albany should release his mother, whom the regent had imprisoned in Dumbarton castle. Lesley, 379 ; Calig., b. ii., 173.

(*o*) Dacre's Letter to Henry VIII., of the 12th April, 1516. Calig., b. iii., 31. Dunglass castle, an old possession of the Homes, was restored by Albany to their chief, on the 9th of June, 1516. Scotstarvit's Calendar.

(*p*) Rym., xiii., 550.

(*q*) Orig. Letter to Henry VIII., of the 29th of August, 1516. Calig., b. iii., 260.

(*r*) Border Hist., 505. The Parliamentary Record, as it is defective at that period, does not recite the accusation of the Homes. That they had committed a treason is certain, as Lord Home's Letters evince. On the 24th of August, 1515, he wrote to Dacre, the English warden : "Gif ever your master wald tak his tyme of Scotland, now or never." Orig. Letter Calig., b. ii., 151.

on the subsequent day (*s*). Lord Home was of age, probably, at this sad catastrophe, rather under forty. He was a person of very considerable sway; but of more bustle than energy; more vain than efficient; and more ambitious than successful. He was so often duped, that we might infer his want of penetration (*t*). His title, his large estates, and his many offices of great importance were all forfeited by his attainder; and his honours and property remained in the crown till 1522.

After Lord Home's death, Anthony de la Bastie, a Frenchman, was appointed by Albany the *warden of the marches*, and captain of Dunbar castle, when the regent went to France in June 1517 (*u*). This French warden was very assiduous in repressing the disorders of the Merse and Lothian. But he soon fell a victim to the revenge of the Homes. While he was in the execution of his duty, he was beset near Langton in the Merse, by David Home of Wedderburn and his associates, who pursuing their victim, assassinated De la Bastie on the 19th of September 1517, with circumstances of uncommon savageness (*x*). Arran appears to have retained possession of Home castle. When the conflict took place at Edinburgh in April 1520, between the parties of Arran and of Angus for pre-eminence, David Home, the same assassin, brought *the border thieves* to assist Angus in driving the regent's deputies from the government. Home, with his *ill-doers* retook the castles of Home and of

(*s*) Their heads were placed on the tolbooth of Edinburgh. Lesley, 383.

(*t*) Dacre, the Warden, who had much intercourse with him, spoke of Lord Home to Wolsey as a nobleman of *mean talents*. Orig. Letter, 18th February, 1516. Calig., b. ii., 298.

(*u*) Lesley, 384.

(*x*) Lesley, 387; Pitscottie, 201. On the 19th of February, 1517-18, the Parliament convicted David Home of Wedderburn, his three brothers, and their associates, of the assassination of Darcy de la Bastie. The Earl of Arran was sent with a band of soldiers, and some artillery, to enforce the doom of Parliament. The Homes surrendered their strengths, and, according to the Scottish custom, were soon pardoned. Lesley, 388-9. Arran and the council were perhaps well pleased to get rid of de la Bastie, who acted as a sort of deputy to Albany. Soon after his assassination, the Dowager Queen, at the desire of the assassin, wrote the warden Dacre for the return of George Home and David Home. When he expressed his surprise at this request, she said that while de la Bastie lived the Homes could obtain no favour in Scotland. Calig., b. i., 239, 243, 244. David Home of Wedderburn had married a sister of the Earl of Angus, the queen's second husband. In 1519, David Home again acted the assassin, and murdered Blackadder, the prior of Coldingham, with six of his family; and William Douglas, the brother of Angus, seized the priory. Lesley, 392; Dacre's Letter to Wolsey, 19th October, 1519. Calig., b. iii., 16. In September, 1523, James V., when only eleven years old, being asked by some of the peers what he would do with the Frenchmen whom Albany had left in Scotland, archly said, *He would give them to David Home's keeping.* Threlkeld's Letter to Dacre. Calig., b. vii., 9.

Wedderburn, which they maintained against the authority of the king and regent (*y*).

Albany returned from France in November 1521. On his approach to the capital, Angus and his partizans fled to the borders, the common refuge of lawless men. When the parliament assembled on the 26th of the subsequent December, Angus, with his adherents, Home of Wedderburn, and Cockburn of Langton, with other Mersemen, were accused of treason (*z*). But they were probably saved from conviction, by a compromise, for which a negotiation had already commenced (*a*). This intrigue ended in the restoration of the Homes. In August 1522, the King, the Regent, and the three Estates, restored George Home, the brother of the attainted lord, to the title, the lands, and the offices, which had thereby become invested in the crown. This restoration was confirmed by the parliament of June 1526 (*b*), and ratified by the parliament of March 1540-1 (*c*). The regent Albany was probably induced to promote that restoration, in order to detach the Homes from Angus and from the English party, and to gain them to himself. While the Homes and Angus remained in union of design and interest, they completely commanded the whole Merse and the eastern border. The great office of the late Lord Home being given away, and his estates dissipated, the Homes were no longer formidable to the government, nor injurious to the nation, while the powers of mischief fell into other hands.

Lord Home now continued steady in his attachment to Albany, and in his opposition to Angus and the English faction, till they completely predominated

(*y*) Lesley, 394; Parl. Rec., 556. Angus, having thus possessed the capital, was some months after joined by George Home, the brother of the late Lord, and the assassin David Home, when they took down and buried the heads of Lord Home and his brother William. Lesley, 395.

(*z*) Lesley, 396.

(*a*) Angus, George Home, and others who met within the English border, empowered Douglas, the well-known bishop of Dunkeld, who was on his way to London, to manage their joint interests at the English court. Their instructions of the 14th December, 1521, are in Calig., vi., 204. Dacre informed the English council that Albany offered peace to the Douglases and their partisans on condition that Angus would consent to a divorce from the Dowager Queen; and that George Home, commonly called Lord Home, *would resign such of his own, or his wife's lands, as had been given away.* Calig., b. vi., 205.

(*b*) Parl. Rec., 563.

(*c*) Ib., 641. Though the offices were thus restored in name, yet it is certain that Lord Home's office of Chamberlain of Scotland was, immediately after his execution, given to Lord Fleming, whose family long retained it; and many of Lord Home's lands, having been given away to others, could not be restored to George Home, after he had thus acquired the title of Lord Home.

when they made Home feel the danger of fidelity. In October 1522, Albany embarked at Dunbarton for France. At this period the Earl of Arran ruled Teviotdale, the *Merse*, Lothian, Linlithgow, and Stirlingshire (*d*). Such was one of the feeble effects of an insufficient regency, which was distracted by the adverse efforts of the English and French interests. The return of Albany from France in September 1523, was marked by the collecting of a large army for the invasion of England. His impotent attack on Wark castle, and his disastrous retreat through the *Merse*, only show his incapacity as a commander, and the distraction of his regency (*e*). He finally departed from the country which he could not rule on the 20th of May 1524. The Earl of Angus, the most powerful of the nobles, and the chief of the English faction, now governed Scotland during the minority of James V. An opposition of force, rather than intrigue, still continued. In January 1526, Lord Home with his followers repaired to Linlithgow, where he intended to join the dowager queen and Arran, against Angus, her husband. But their attempt was crushed, as well by the superiority of character, as by the power of Angus (*f*). Home appeared not in the Parliament of the subsequent June. But he was summoned to answer various charges of treason, which seem to have amounted merely to a charge of opposition to Angus the governor. Lord Home promptly appeared in parliament; and having denied the accusation. when it was made by the public prosecuter, he was acquitted by the king, with the advice of the Estates (*g*). The object was thus obtained of inducing Home to depart from his opposition, and to join with Angus. The grant which was immediately made to him of his brother's forfeited title and estates, evinces how much the trial of Home on that occasion had been collusive (*h*). This intimation is sufficient to show the anarchical nature of Angus's administration (*i*). Under such a domination the youthful king was extremely impatient, and various projects were unsuccessfuly tried to free him from thraldom. One of these,

(*d*) The Dowager Queen's Letter to the Earl of Surrey, in October, 1523. Calig., b. vi., 379.

(*e*) Pink's Hist., ii., 228-30.

(*f*) Several letters in Calig., b. ii., 114, 249-50, illustrate that representation.

(*g*) Parl. Rec., 559.

(*h*) Ib., 563. This was merely a confirmation of Albany's restoration of George Home in 1522. Id.

(*i*) Patrick Blackadder, the archdeacon of Dunblane, and cousin of Blackadder, the prior of Coldingham, who had been murdered by David Home of Wedlerburn in 1519, obtained a safe conduct from Angus to come to Edinburgh; yet was he assassinated by the *Homes* and Douglases at the very gate of the metropolis. Godscroft, i., 86-7.

was conducted by the laird of Buccleuch, in July 1526, who, with the aid of Home and his followers, made an unsuccessful attempt at Melrose to liberate the king from the too powerful gripe of the dominator Angus (*k*). The king, in June 1528, freed himself by his own efforts after every endeavour of others had failed. Lord Home repaired to the king at Stirling; and accompanied him to Edinburgh on the 6th of the subsequent July (*l*). The king soon after advanced with some forces to Coldingham, with design to drive Angus into England. Angus retired on his approach, and the keeping of the place being now assigned to Home and his brother, the abbot of Jedburgh, Angus returned upon them the same night and obliged the king to find his safety in Dunbar (*m*). Treason was now busy to restore the pre-eminence of Angus; and when the parliament assembled, in December 1528, Janet Douglas, Lady Glamis, his sister, was accused with her abbettors of treasonable practices (*n*). This is the same lady who was convicted by parliament, in 1537, of treason, and executed (*o*); and who is yet supposed by the Scottish historians to have been innocent, upon general presumption, in contempt of recorded fact.

The king now found it convenient, and deemed it necessary, to make his famous expedition to the borders in 1529, when Lord Home and some unruly chiefs were imprisoned. By this act of vigour an unusual quiet was established for some time along the southern marches. But in 1533, he seems to have been induced to repeat a similar act with similar success (*p*). There was now little domestic disturbances along the borders for several years. Yet were they disturbed at length by foreign invasion. In August 1542, Sir Robert Bowes, accompanied by Angus and his brother, Sir George Douglas, entered Scotland with design to ravage the borders and to sack Jedburgh. But they were met at Hadenrig and completely repulsed by the Earl of Huntly and Lord Home (*q*). In the subsequent October, they did good service in op-

(*k*) Lesley, 419-21. (*l*) Lord Wm. Dacre's Letters to Wolsey. Calig., b. i., 7.

(*m*) Northumberland's Letter to Wolsey of the 9th of October, 1528. Calig., b. vi., 459.

(*n*) Parl. Rec., 585-6. Her abettors were John Home of Blackadder, Hugh Kennedy of Girvanmains, and Patrick Charters; but though they were all often called, they seem to have been never convicted, on account, probably, of some compromise. Id.

(*o*) Parl. Rec., 624.

(*p*) In 1433, several of the *Homes* and Kers were imprisoned at Glasgow and Dumbarton on account, no doubt, of some disorders on the borders. Lady Dacre's Letter to Dacre. Calig., b. vi., 135. Lord Home, in March, 1540-1, obtained another confirmation of his title and estates, which was sanctioned by Parliament, and entered on the record. Parl. Rec., 641.

(*q*) Lesley, 455.

posing and harassing the more formidable army which Norfolk now led into Scotland (*q*). At the present period it happened, as it had done for ages, that the torch of domestic treason lighted the forward steps of the invading foe.

During the infancy of Mary Stewart, Lord Home, as he was now stricken in years, seldom appeared either in parliament or in the field. In March 1542-3, indeed, Lord Home was one of the Estates who declared the Earl of Arran to be the second person of the realm, and tutor to the queen; and who swore to support him in discharging that important office (*a*). Lord Home was present, also, with the queen and regent in a council at St. Andrews, in June 1545 (*b*). His heir, the master of Home, was present in the parliament of Linlithgow in October following. The Estates having granted a thousand horse for three months security of the borders, the chiefs of the *Merse* and Teviotdale engaged to prevent domestic disorders, and to punish the misdoers within the Merse, Teviotdale, Lothian, Tweeddale, and other southern districts (*c*). Lord Home appeared in parliament for the last time on the 16th of August 1546 (*d*). A skirmish on the 9th of September 1547, which preceded the battle of Pinkie, proved unfortunate for Lord Home and his heir; the former died of a hurt which he then received, and the latter was taken prisoner; and Home castle was soon after captured, on the return of the Protector Somerset, from his expedition to Edinburgh (*e*).

He was succeeded by his eldest son, Alexander, who was probably now at the age of forty; as he had for some years managed chiefly his father's political affairs. He obtained reputation in the campaigns of 1548-9 (*f*), when

(*q*) Lesley, 457; Hall. fol. 253-4.

(*a*) Parl. Rec., 648. (*b*) Keith's App., 50.

(*c*) The Berwickshire lairds who entered into that agreement, the sure mark of a feeble government and dormant law, were Alexander, the master of Home, John Home of Coldingknows, George Home of Ayton, George Home of Wedderburn, John Home of Blackadder, Alexander Home, Patrick Home of Polworth, and other chiefs of the Merse and Teviotdale. Parl. Rec., 688. We may thus perceive what a potent clan the Homes were in that age. On October the 5th, the parliament resolved, in organizing the cavalry for the border service, that 500 horse be chosen by the master of Home and his friends, and mustered by him at Lauder. Id. The payment of those horsemen, who were engaged by the master of Home, was enforced by a fresh ordinance. Ib., 689.

(*d*) Ib., 726. (*e*) Border Hist., 560-62; Keith's Appx., 55.

(*f*) Beague's Hist. of those campaigns; the same author, 80-1, gives an account of the retaking soon after of Home castle by stratagem, at which he makes Lord Home assist. Somerset, in his advance through the *Merse* to Edinburgh, took and demolished Dunglas castle, another strength of the Homes. Border Hist., 560. It was restored by the subsequent peace. Ib., 71.

many blows were received and given and when the English hoped for conquest, and the Scots fought for their defence (*g*).

The Homes, who cannot be praised for their steadiness, while they generally saw their own interests, sat in the reformation parliament of August 1560 (*h*). Lord Home again sat with the extraordinary lords in a council at Edinburgh, in December 1561 (*i*). He appears, however, not to have been friendly to Elizabeth, at least not attentive to her ambassador (*k*). Lord Home was present in the convention at Stirling, on the 15th of May, which ratified the queen's marriage with Lord Darnley (*l*). Lord Home steadily attended the extraordinary councils of the busy year 1565. He was, particularly, present in the convention of the 1st of August, when measures were to be taken against the Earl of Moray and the other insurgents (*m*). After the queen of Scots had recovered from her dangerous illness at Jedburgh, in November 1566, she proceeded to Kelso, whence, she passed to Home castle, and went thence to Langton and to Wedderburn; thereafter took a view of Berwick; and remaining a night at Coldingham, she went forward to Dunbar, performing this tour on horseback, through the Merse (*n*).

But the time was come when Lord Home was to display his versatility. On the 19th of April 1567, he was one of the many nobles who disgraced

(*g*) Alexander Lord Home was appointed the warden of *the East Marches;* and on the 31st of May, 1559, acted as one of the Scots Commissioners who negotiated the treaty at Upsettlington. Rym., xv.. 617-21.

(*h*) In that miscellaneous convention sat Alexander, Lord Home, George Home of Spot, David Home of Wedderburn, and John Home of Coldingknows. Keith, 146-7.

(*i*) Ib.. App., 175.

(*k*) The malignity of Randolph represented to Cecil. on the 20th March, 1564-5: "The Earl of Lennox joineth with those *in most strict familiarity that are noted greatest enemies to all virtue,* as the Earls of Athol and Caithness, Lords Ruthven and *Home.*" Keith. 272.

(*l*) Ib., 277. On the 3rd of June, 1565, Randolph again mentioned *Lord Home* to be among those who were friends to the Queen and Darnley, and *had shamefully left the Earl of Moray.* It was expected that *Lord Home* would be created *Earl of March.* Ib., 283. It was, we thus see, a great crime in the contemplation of Randolph and Cecil, to be attached by his allegiance to his lawful sovereign, rather than to Moray, the corrupt agent of a foreign queen.

(*m*) Ib., 305-9. When Tamworth, the English messenger, left Edinburgh, on the 19th of August 1565. he refused a safe conduct, which was signed by Darnley *as king,* and having thus no safe conduct he was stopped at Dunbar by *Lord Home,* who carried him prisoner to *Home Castle,* where he was for some days detained. Ib., 311. As Lord Home was appointed, in 1565, warden of the East Marches, it was in this character, probably, that he arrested Tamworth. Crauford's MS. Collect.; Keith's App., 170.

(*n*) Ib., 353.

themselves by signing a bond which encouraged Bothwell to outrage and marry the queen of Scots (*o*). Lord Home disgraced himself still more by associating with the insurgent nobles who assembled at Stirling in the subsequent month against their sovereign, because she had been encouraged by their misconduct to marry Bothwell (*p*); and Lord Home, on the 16th of June 1567, when he signed an order for imprisoning his legitimate queen in Lochleven castle, superadded to his disgrace as a noble, the infamy of a rebel (*q*) None of those wretched characters with whom he acted on that disgraceful day, reflected that they were involving their country in civil wars, and were encouraging foreign inroads into their borders, and promoting the hostile siege of their capital by their ancient adversaries. Throughout the revolutionary year 1567, he adhered uniformly to the rebellious faction which dethroned Mary Stewart, placed her infant son upon her throne, and gave her tarnished sceptre to her bastard brother as viceroy (*r*). In return, the regent Moray gave Lord Home the sheriffdom of Berwick. Lord Home went one step further out of the line of his duty, after the escape of the unhappy queen from Lochleven castle. He led six hundred followers from the Merse against his sovereign, who had given him marks of her beneficence, but had not made him *Earl of March*, into the battle of Langside (*s*). In this decisive conflict Lord Home received several wounds. He is said, by leading the border spearmen against less practised warriors, to have turned the fortune of the field (*t*). Lord Home assiduously attended throughout 1568 Moray's parliaments (*u*). He hoped to ensure the regent's gratitude, which did not exist in his ambitious heart, and being disappointed, Lord Home made another change of principle and of practice (*x*). In 1569, he deserted

(*o*) Ib., 382. (*p*) Ib., 394. (*q*) Ib., 406.

(*r*) Ib., 434-7—440-50. Lord Home was present in council on the 23rd of August, 1567, when an order was issued, requiring John Home of Blackadder, David Home of Wedderburn, George Home of Ayton, John Home of Coldingknows, and other leading gentlemen of the Merse, to appear before the Privy Council, to give their advice concerning the administration of justice and the establishment of quiet within the limits of *the East Marche*, as they would answer at their uttermost peril. Keith, 459, intimates what is probable in itself, that the above order was issued with design to overawe the inhabitants of the Merse, who, it should seem, did not adhere to Lord Home in approving the insurgent administration of the bastard Moray.

(*s*) Ib., 479, from Calderwood.

(*t*) Lord Home was wounded in the face and in the leg; and Alexander Home, of Manderson, was killed. Parl. Rec., 809. Lord Home's brother-in-law, the Laird of Cessford, fighting by his side, helped him up when wounded. Keith, 478.

(*u*) Parl. Rec., 806-7; 815-16-17.

(*x*) Robertson's Hist. i., 304, says that Lord Home had been seduced by Lethington; but his lordship had asked the command of Dunbar castle, which the regent gave to the bailies of the same town.

Moray's faction and joined the queen's friends. In 1571, he was taken prisoner in a skirmish with Morton in the suburbs of Edinburgh, when both fought for their respective factions. He seems soon after to have found refuge with Lethington and Kirkaldy in Edinburgh castle, which this hardy soldier defended till Sir William Dury came from Berwick and obliged it to surrender, in May 1573. They at last submitted to Dury on condition; and yet were they, by Elizabeth's command, given up to the regent Morton, who ordered Kirkaldy to be executed (*y*). Lord Home was convicted in parliament, on the 27th of October 1573, of treason. Lord Home died in August 1575, as appears by the *retour* of his heir; and a remission for his crime was granted by the parliament of Stirling in July 1578.

Lord Home was succeeded by his son Alexander, a minor (*z*); but was never restored to his father's offices. In 1580, when king James sailed to Denmark in order to marry the princess Anne, Lord Home was named among those nobles who might be relied on for supporting the public peace in the king's absence. During the troubles which were often raised by the ambitious restlessness of Francis, Earl of Bothwell, Lord Home gave his active aid in defeating his seditious purposes (*a*), and for this service he was rewarded with a grant of the dissolved priory of Coldingham (*b*). Being a papist in his religion, he seems to have thereby drawn upon himself the excommunication of the kirk; and he was thus constrained to make a degrading apology, according to the

(*y*) Birrel's Diary. 21. Lethington took poison to prevent a public execution, being convicted as one of the slayers of Darnley. In Jonstoni Heroes, 35, it is said that Home died in 1573. Crauf. Peer. 222, states, mistakingly, his death in 1576, and quotes the same book for his authority. Dougl. Peer., 346, uncritically mistates the same fact. When the regent went to the Borders in 1573, to establish order there, he appointed Sir James Home of Coldingknows, the warden of the East Marches. Spottiswoode. 272.

(*z*) Id.

(*a*) Spottiswoode's Hist., 403. In 1582, says Mr. Solicitor General Purvis, in his Exchequer MS., it was found that the Earl of Home did count for the earldom of March, at £174 yearly, which doth differ from the present rental by £20. Neither has the one nor the other counted these 60 years, except for Graden and the kirk of Dunbar: the cause of not compting for some of those years being conceived to be, because a part of those feu duties was allocated to Archibald Hay, his Majesty's chirurgeon, who is dead long since. As to the particular rental before set down as contained in the rental of 1502, it is conceived that the Earl of Home has no right now to those feu duties; as any right he had to the same was by way of lease, which is expired long since, and which was set for payment of the foresaid £174 assigned to Alexander Hay.

(*b*) Crauf. Peer., 222. In November, 1600, the parliament passed an act confirming *the thirds* of Coldingham to Lord Home. Unprinted Act. By resignation from the Duke of Lennox, and a charter from the king, he obtained the sheriffwick of Berwick on the 2nd of October, 1592. Charter in the Pub. Records.

odious practice of a fanatical age (*c*). When king James, soon after, thought it convenient to obtain the friendship of the Roman catholic princes, in order to secure his accession to a richer crown, he with his usual imprudence, sent Lord Home, in 1599, on a suspicious embassage to Rome (*d*). The parliament of November 1600 confirmed to him *the thirds* of Coldingham priory (*e*). In 1603, he accompanied King James to England; he was created Earl of Home on the 4th of March 1605 (*f*); and dying on the 5th of April 1619, he was succeeded by his son James in his title and estates, but not in his offices. His successor died in 1634, and was succeeded by Sir James Home of Coldingknows, under an entail of the estates, and title to heirs male (*g*). The new Earl was one of those nobles who, in 1633, signed a submission to the king concerning their superiorities and teinds (*h*). During the civil wars which succeeded, he is said to have been *very loyal* (*i*). He survived those terrible times, and the restoration parliament passed a new ratification in favour of the Earl of Home (*k*). Dying in 1666, he was successively followed by three sons; by Alexander, who died in 1674; by James, who died in 1688; and by Charles, who did not concur in *the revolution*, and opposed *the union* (*l*).

(*c*) On the 17th of May 1594, "Lord Home maid hes repentance in the new kirk, befor the assemblie upon hes knies." Birrel's Diary, 33. He was thereupon absolved from the sentence of excommunication. Home appears to have taken the field in 1593 for the support of his religion. Spottisw. Hist., 397; Keith, 434-37.

(*d*) Robertson's Hist., ii., 255. (*e*) Unprinted Act.

(*f*) Crauf. Peer., 222. He resigned the sheriffship in 1616. On the 28th of June 1617, the Parliament again passed a ratification to the Earl of Home. Unprinted Act.

(*g*) Dougl. Peer., 346. On the 4th of August 1621, the parliament passed "a new dissolution of Jedburgh and Canonbie, in favour of the Earl of Home." Unprinted Act. He obtained from Charles I. a grant of the barony of Duns.

(*h*) Glendook's Stat., 4.

(*i*) Dougl. Peer., 347. On the 11th of June 1640, there was a reference by parliament for the Earl of Home and his Countess to the commissioners, for the common burdens. Unprinted Act. There was at the same time a ratification in favour of the Earl of Home, of his infeftment of the *barony of Duns*. Id. There was also a ratification of the contract and disposition to him of the living and estate of Home. Id. Lord Maitland protested against the Earl of Home's ratification. Id.

(*k*) Unprinted Act of the 1st of January, 1661.

(*l*) Dougl. Peer., 347. On the 9th of October 1678, at the privy council, Mr. Charles Home, brother to the Earl of Home, for his accession to the clandestine marriage of the heiress of Ayton to the Laird of Kimmerghame, and disobeying the council's orders, and for not appearing, was imprisoned in the castle, he having no fortune wherein to fine him, and after two days was, at his brother's intercession, liberated. Lord Fountainhall's Decisions, i. 17. See of Charles Lord Home, Lockhart's Mem., 214; Proceedings of the Convention, 1689. He died on the 20th August, 1706.

In the meantime the earldom of March remained in the crown, from the attainder of the Duke of Albany by the parliament of James III. (*m*). It was again revived in 1579. The earldom of March and the lordship of Dunbar, were now conferred, by the impolicy of James VI., on Robert Stewart, the second son of John, Earl of Lennox. He had chosen the church for his profession, in an age when it was the most gainful. He was appointed the provost of the provostry of Dumbarton; he was, in 1542, elected the bishop of Caithness, the revenues whereof he enjoyed while he lived, though he was never in priest's orders. Taking part with his brother, the Earl of Lennox, against Arran, the favourite of king James, the bishop was forced into banishment, which lasted two and twenty years. He returned to concur in *the reformation;* and his brother, the Earl of Lennox, succeeding Moray as regent, gave him the priory of St. Andrews, the revenues whereof he enjoyed during his long life. The abuses of old were not more corrupt than such grants to such a man. In 1576, the earldom of Lennox fell upon him in addition to his priory and his bishopric. But to oblige king James, he soon resigned that earldom to his grand nephew, Esme Stewart; and obtained, in consideration of his facility, the earldom of March and the lordship of Dunbar (*n*); yet, without any additional revenues. The earldom of March now remained in the crown upwards of a century; and in April 1697, it was conferred on William, the second son of the first Duke of Queensberry, whose descendant now enjoys it, though the earldom be merged in the dukedom (*o*). In this manner then, was the ancient earldom of March revived in the house of Stewart, and still continues in the family of Douglas. We have at length seen what foundation there was for Camden's remark, how much more the *Merse* is celebrated for its *Earls* than its *places.*

In the intervenient time, this shire, by the accession of James VI. to the English throne in 1603, enjoyed for somewhile unwonted quiet. At the end, however, of six and thirty years, the inhabitants of Berwickshire were involved, by faction

(*m*) It was indeed conferred by James IV. on his wife, the princess Margaret, as a part of her dower. She appears to have sold to her son, James V., her demesne of Dunbar as a portion thereof. Pink. Hist., ii., 351. She died in June 1441, after a devious life of ambition and love, when the earldom of March came again into the actual possession of the Scottish king.

(*n*) Chart. Pub. Rec. Spottiswood's Hist., 308: Dougl. Peer., 443. He died on the 29th of March 1586. There is prefixed to Pitscottie's History a poetical dedication "to the most reverend father in God Robert Stewart, bishop of Caithness and commendator of St. Andrews," where he long resided.

(*o*) Crauf. Peer., 310: Dougl. Peer., 443.

and fanaticism, by interest and idleness, in the general agitations which shook their country to the centre. The year 1638 saw preparations for civil war begin. The subsequent year felt hostilities commence. The strongholds of Scotland were seized by the insurgents; their generals, Lesley and Munro, marched to Dunglas and Kelso; and the king's army, at the same time, advanced from York to Berwick. The Scottish leaders encamped their bands at Duns, where armies had assembled of old under very different auspices; and the borderers are said to have exulted, when they saw their native hills again traversed by hostile spears; as they delighted in the tumults of war, and hoped for the plunder of both sides. But a peace was made on the 18th of June 1639, at Huntley field, near Berwick, between the contending parties, which did not contribute to the continuance of peace on either side (*p*). In the beginning of the subsequent year hostilities were renewed, and in August 1640, the English army, under Conway, marched northward to Newcastle; while the Scottish forces, under Lesley, proceeded southward to Duns, and promptly passed the Tweed at Coldstream. An inroad into the Merse from Berwick, was soon after repelled by Lord Haddington, who, however, a few days afterward, lost his life by the blowing up of the fortlet of Dunglas. A new pacification was made at Ripon, on the 26th of October 1640, with little more effect; because the one party was weak and the other was subtle. In November 1644, the Scots having agreed to support the English parliament, passed the Tweed at Berwick into England, with an army of 20,000 men, on the 15th of January 1644-5 (*q*). After so much agitation, it was not easy to restore quiet in Scotland. In December 1647, the Scots complained of the English parliament for making peace without their consent. On the 10th of the subsequent March, the Scottish rulers resolved to raise a fresh army in favour of the king (*r*); the town of Berwick being already seized by their adversaries. The Scottish army entered England by the western road; and were defeated by Cromwell on the 17th of August 1648, at Preston. He marched speedily into the north,

(*p*) See Nalson's Col., i., 239.

(*q*) After the subduction of the king, whom they delivered to the English parliament, on receiving their arrears of £400,000 sterling, repassed the Tweed into Scotland on the 11th of February 1646-7.

(*r*) By the Act of the 4th of May, 1648, for levying that army, Berwickshire was directed to raise 1200 infantry and 100 cavalry. The Earl of Home was appointed colonel of the infantry; and colonel John Home was to command 80 of the horse. Printed Act, by Evan Taylor, 1648. The number of cavalry, according to the proportion of the levy in 1644, is mentioned as being too small.

and on the 21st of September 1648, he forded the Tweed at Norham, into the Merse, taking up his quarters in Mordington house. Nine days after he entered Berwick, the governor having evacuated the town (*s*). This success induced the parliament to appoint Cromwell commander-in-chief in Ireland; and his triumphant conquests in Ireland moved the same authority, in June 1651, to nominate, with extraordinary powers, the same successful general chief commander in Scotland. Cromwell, a second time, passed the Tweed into the Merse, on the 22nd of July 1651. The Scots, adopting the sound policy of Robert Bruce, laid waste their country, and retired before him; yet the moment that the Scottish general departed from that policy, Cromwell decided their fate, on the 3rd of September following, at Dunbar. Home castle was soon after taken and demolished for ever, with some circumstances which have preserved the event in the traditions of the country (*t*). Nothing could cure the deep-rooted enthusiasm of the Scottish people but conquest, and in April 1653, an Act was passed by the English Commons, incorporating Scotland into one commonwealth with England. Berwickshire now partook of the degradation of conquest. It rejoiced at the restoration, yet did it feel the infelicities of the fanaticism of the governed, and the harshness of the government during the subsequent reign, to both which some of her sons sacrificed themselves. It did not concur warmly in the revolution (*u*), and it derived at length, as we have seen, the full benefits of the union.

Meanwhile the localities of this shire have furnished titles to various men of full as much celebrity as either of those lords, or as any of those earls. James Fitzjames was created Duke of Berwick in 1685, on the accession of his father to the throne. John Churchill, who rose, by his address and valour to be Duke of Marlborough and Prince of Mindelheim, was created Lord Eyemouth in 1682 (*a*). From Huntley and Gordon, a great family derived the titles of earl, marquis, and duke (*b*). The Maitlands owe to Thirlstane, the Merse, and Lauderdale, the titles of baron in 1590, of earl in 1624, and of duke

(*s*) Cromwell wrote from Berwick on the 2nd of November, 1648, to Lenthal, giving an account of his proceedings in Scotland.

(*t*) Stat. Acco., iii., 292.

(*u*) During the reign of William there was a considerable encampment of the king's troops at Langhopebirks, in Langton parish, at the desire, as it is said, of Lord Marchmont to overaw Lord Home. Stat. Acco., xiv., 583.

(*a*) Crauf. Peer., 141; Dougl. Peer., 255.

(*b*) Crauf. Peer., 173; Dougl. Peer., 295.

in 1672 (*c*). Home gave the title of baron and earl to the family of Home, as well as the surname to a numerous clan in this shire. George Home, who, by his talents and dexterity acquired the earldom of Dunbar, was also created, in 1604, Lord Home of Berwick (*d*). Polworth and Greenlaw gave the title of baron to Sir Patrick Home, who was also created Earl of Marchmont (*e*). Haliburton furnished the title of baron, in 1401, to Sir Walter Haliburton, who had the honour of being one of the many hostages for James I. (*f*). Mordington furnished the title of baron, which became extinct after five descents, to James Douglas, the second son of the tenth earl of Angus (*g*). There is another family in this shire, which claims priority of age to any of those nobles. The Swintons are feigned, by flattery, to have taken root in Berwickshire under the Celtic reign of Malcolm Canmore. Yet is the family of Swinton certainly ancient. The progenitor of this stock was Arnulf, a military follower of David I., who obtained from the king's munificence a grant of the lands of Little Swinton, with a reservation of *service* to the monks of St. Cuthbert (*h*). Arnulph and his posterity, according to the practice of the age, were, from their lands, called *de Swinton*, which has continued the surname of this respectable race (*i*).

(*c*) Dougl. Peer., 391-6. *Mautlant* was the original name of this family. Crauf. Peer., 250. *Thirlstane*, their original property, was the estate in the age of David I. of Hugh Morville, the constable, whose posterity retained it below the reign of William the Lion, when it passed by marriage to the Maitlands. MS. Extracts from the Title Deeds of Lauderdale.

(*d*) Crauf. Peer., 113. (*e*) Ib., 315-16. (*f*) Ib., 182.

(*g*) Dougl. Peer., 148.

(*h*) Chart. Coldingham. That reservation of service was afterwards changed by a new charter to a payment of forty shillings to the monks, and services to the king.

(*i*) There were of old two places near each other which bore the name of *Swintun*. The one to the north-east, where the village and church now stand, was granted by Edgar to the monks of St. Cuthbert at Coldingham. The other Swinton, which was given to Arnulf, is the place that was called of old Little Swinton, and is so distinguished by the charters of the 14th century. Alan de Swyntun witnessed a charter of Patrick, the Earl of Dunbar, between the years 1198 and 1199. Roberts. Index, 156. In 1273, Alan, dominus de Swinton, obtained from Roger, the prior of Coldingham, a remission "de secta curiæ." Chart. Colding., 61; and Alan de Swinton granted to the prior and monks of Coldingham, a piece of land which was called *Kirk-croft*. Ib., 34. David I.'s charter to his *Miles*, Hernulf or Arnulf, during the life of his son Earl Henry, is printed in Dougl. Bar., 127; yet, though it be very curious, it does not establish any connection between *Arnulf*, the *Miles* of David I., and Udard, the son of Liulf, the son of Edulf, who are mentioned in that charter. The charter rather proves that there was no connection in blood.

Berwickshire, which has produced its full share of great men, has also supplied learned senators to the College of Justice (*i*).

Berwickshire has also given some eminent prelates to the Scottish church. David de Bernham ruled the see of St. Andrews from 1233 to 1253 A.D. (*k*). Gilbert Greenland was appointed to the episcopate of Aberdeen in 1390 (*l*). Robert Blackadder was elected to the same see in 1480 (*m*). Andrew Foreman, a son of the laird of Hutton, a frequent envoy, who had the honour to negotiate the marriage of Margaret, the eldest daughter of Henry VII., with James IV., was promoted to the see of Moray in 1501, and, after some struggle, to the archiepiscopate of St. Andrews in 1514; enjoying, at the same time, several abbeys *in commendam* (*n*). George Shoreswood, of the family of Bedshiel, after executing many trusts, was elected to the see of Brechin in 1454, and was Chancellor of Scotland at the demise of James II. in 1460 (*o*). The house of Spottiswoode, in this shire, has furnished several distinguished men to the church, the law, and the armies of their country. John Spottiswoode was elected to the archbishopric of Glasgow in 1610; was translated to that of St. Andrews in 1615; and died at the age of 74, Chancellor of Scotland, on the 27th of December 1639 (*p*).

(*i*) John Maitland, the commendator of Coldingham, was appointed to that trust on the 2nd day of June 1568. Sir John Maitland of Thirlestane followed him to the Bench in 1581, and died in 1595. On the 5th of June 1618 John Maitland, Viscount of Lauderdale, was also appointed to that high trust. All those appointments took place before the civil war gave rise to a great change in 1641. The only lawyer from this shire who acted under Cromwell was John Swinton of Swinton. After the Restoration, during a period which furnished Scotland with so many eminent lawyers, John Home of Renton was appointed a senator on the 18th of June 1663. He was followed by Sir Roger Hogg of Harcarse, who left to his profession learned *decisions*, and he was succeeded by Alexander Swinton of Mersington, on the 19th of June 1688, who was continued after the Revolution. In 1693, Sir Patrick Home of Polworth was appointed an extraordinary lord of the Session. Sir Andrew Home of Kimmerghame was raised to the bench in 1714, and died in 1730. Henry Home, the celebrated Lord Kames, was appointed to that eminent trust in 1752, and died in 1783. He was followed by George Carre of Nisbet, in 1755, and died in 1766. John Swinton of Swinton was raised to that great charge in 1782, and died in 1799.

(*k*) Keith, ii., and note (d). (*l*) Ib., 66. (*m*) Ib., 68. (*n*) Ib., 86-7.

(*o*) Crauf. Off. of State, 36.

(*p*) Ib., 102; Keith, 26. The archbishop's son, Sir Robert Spottiswoode, the President of the Court of Session, may be said to have died for the law, amid the illegal violences of 1646. His grandson, John Spottiswoode, of the same, was one of the first professors of law in the University of Edinburgh, and a useful publisher of juridical works. Of this respectable family was General Spottiswoode, who died in the government of Virginia under George II.

Berwickshire may boast of its learned men and its eminent poets. John Duns-Scotus, who died in November 1308, would alone justify that boast, if the English and the Irish did not severally claim the *Subtle Doctor* as their own (*q*). The numerous race of the Homes has produced critics, poets, historians, physicians, and lawyers (*r*). Doctor James Hutton, the great geologist of his time, though born in 1726 at Edinburgh, inherited his father's lands in Berwickshire, which he contributed to improve and energize. This county has the honour of having produced Thomas of Ercildoun, the earliest poet, William Dunbar, the best poet of Scotland, and Grizel Baillie, the daughter of Patrick, Earl of Marchmont, one of the sweetest of her lyrists. Of the ancient family of Nisbet in this shire was Alexander Nisbet, who died in 1725, after writing, with learning and elaboration, on *heraldry*. The Ridpaths have derived their name from one of the places of this county; and George Ridpath, who died minister of Stitchel in 1772, made collections for the history of Berwickshire; and left for publication *The Border History* of the two congenerous nations (*s*). To those slight notices may be added what is honourable in itself, that four of the present professors of Edinburgh University were contributed by the vigorous people of Berwickshire.

§ VII. *Of its Agriculture, Manufacture, and Trade.*] When the Anglo-Saxons came in upon the Romanized Ottadini, during the fifth century, they found the district between the Tweed and Lammermuir very little cultivated. Six centuries of hostility and rudeness did not add much to its improvement. At the recent beginning of the Scoto-Saxon period in 1097, the various area of Berwickshire was covered with forests, sheltered by woods, and disfigured by wastes (*t*). Yet is there reason to believe that woods did not abound in the

(*q*) Lord Hailes' An., ii., 267; L'Advocat: Tanner, 238.

(*r*) Patrick Hume published in 1695 a *learned Commentary on Paradise Lost.* Lord Kames, the celebrated son of George Home, was born within this shire in 1696. Hume of Godscroft, a poet and historian, died about the year 1620. He was contemporary with several poets of the same name. David Hume, the metaphysician and historian, though he was born at Edinburgh in 1711, proceeded from the house of *Ninewells.* Francis Home, who wrote on *the virtues of Duns-spaw* in 1750, and on the principles of agriculture in 1757, distinguished himself as a physician. Mr. Professor David Hume, proceeding from the same house of *Ninewells* in our own times, has distinguished himself as a learned writer on the *Scottish law*, which he ably teaches.

(*s*) It was published in 1776 by his brother, Philip Ridpath, the minister of Hutton.

(*t*) David I. granted to the canons of Dryburgh the lands of Cadisley, with the pasturage "infra *forestam* meam." Foundation Charter, Dug. Monast., ii., 1054. The *grange* of Cadisley is mentioned in the Chart. Dryb., No. 75. Walter, the son of Alan, granted to the same canons

lower parts of the Merse, owing to whatever cause. In the parishes of Hutton, Whitsome, Ladykirk, Swinton, Coldstream, and Eccles, we do not trace on the maps any name of a place which derived its designation from *a wood*. In the middle and heights of the country; in Lauderdale, on the sea-coast, many names evince the existence of woods at the commencement of the Scoto-Saxon period (*u*). The profligate John Hardying, who made a tour into Scotland, under a safe conduct of James I., speaks of the "Lammermore *woddes* and *mossis*" (*x*). Thus wooded, in those ages, was every part of Berwickshire, except some parts of the Merse.

At the beginning of the twelfth century, Berwickshire was not very populous. During this and the subsequent century, many persons of consideration, English, Normans, and Flemings, settled within its limits, under grants from the crown (*y*). The lower orders of men were chiefly *vileyns* and *drengs* (*z*).

the lands of *Herdsley*, near Cadisley, saving the way which led "ad *nemus*." Cadisley, the Kedslie of the present times, is in the parish of Lauder, in Lower Lauderdale. Peter de Haig of Bemerside granted to the same canons a part of *the forest* of Flat-*wood*. Ib., 98-99. Alexander Baliol gave to the same canons half of the *forest* of Gledis-*wood*, lying on the Tweed, below the influx of the Leader water. Ib., 100-1-2-3. There was of old an extensive forest which spread over the ample country between the Leader and the Gala. David I. granted the monks of Melrose pannage and pasturage in this forest, with the right of taking wood for building and burning. Chart. Melrosc. No. 57-89. Thomas de Gordon gave to the monks of Kelso the free use of his *woods*, "stoch et ramail." stock and branches, "ad edificandum stagnum suum," to build their mill dam. Ib., 121. Malcolm IV., William, and Alexander II. granted the *woods*, *forests*, and warren to the monks of Coldingham in their *schire*. Chart. Cold., 3-5-6. Edward I. confirmed those rights. Ib., 37. Ralph of Bonkil gave to the monks his *woods* and *moors* in Coldinghamshire. Ib., 119. On this agricultural subject, see Nicolson's Hist., Lib., App., vii.

(*u*) In Blaeu's Maps, No. 7 and 8, and in Armstrong's map of Berwick, the following names of places may be collected, which show the former existence of woods in the parishes mentioned. In Coldingham parish there are Swine-*wood*, Hund-*wood*, Green-*wood*, Lient-*wood*; in Cockburnspath, *Wood*-end, Padockslen-*wood*; in St. Bothan's, Quick-*wood*; in Langton, *Wood*-end, *Wood*-head, Chaceley-*wood*, Stobs-*wood*; in Longformacus, Hadaes-*wood*, *Wood*-end, Trotter-*shaw*; in Bunkle parish, *Wood*-end; in Westruther, *Wood*-head. Spotts-*wood*; in Mertoun, Glades-*wood*. Bont-*shaw*-cot; in Gordon, Huntly-*wood*; in Earlston, Hunt-*shaw*; in Leger-*wood*, Stoby-*wood*, Boun-*wood*; in Lauder, *Woods*-head, *Wood*-hall, *Wooden*-clengh, Hepe-*shaw*; in Crau-*shaws*, *Birk*-cleugh; in Channelkirk, Head-*shaw*; in Duns, where there was a *forest* and a *wood*, *Birken*side.

(*x*) Chronicle, fo. ccxxxvii.

(*y*) See Caledonia, i., bk. iv., ch. i. David I.'s charter of Swinton is addressed to his sheriffs and barons, *French* and *English*. Dougl. Bar., 127.

(*z*) Andrew, the son of Gilbert Fraser, gave the monks of Kelso some lands in the lordship of Gordon, with Ada, the son of Henry del Hoga "nativo meo, cum tota sequela sua." Chart.

The practice of vileynage, which had so long existed here, disappeared during the Stewart period of the Scottish history.

When the lord obtained his grant of a *territory* from the king, the acknowledged proprietor, he built a castle, a church, a mill, a kiln, and a brew-house, for the accommodation of his followers. They sat down around him, having each a house, a toft, some arable land, a meadow, and a right of commonage for a number of beasts on the waste of the lord (*z*). Such, then, was the rural economy of Berwickshire during the twelfth and thirteenth centuries, with the slight varieties which would naturally arise from different circumstances.

Kelso, No. 123. Earl Waldeve, during the reign of Malcolm IV., gave to the same monks, Halden, and William, his brother, and all their children and their posterity. Ib., 127. A dispute, with regard to *the drengs* of Horndean, was settled by Earl David. Diplom. Scotiæ, No. 10-11. There are a dozen charters in the Chartulary of Coldingham, with regard to the donations, manumissions, sales, and releases of the *Nativi*, and their issue, belonging to the prior of Coldingham. Edgar conveyed to those monks, "Paxtun, ita ego habui cum *hominibus*, terris, et aquis." Anderson's Independ. App., No. v. Thus early, then, were *the men* conveyed with the lands in Berwickshire! The *drenchs* or *drengs*, which are mentioned in Earl David's Charter, were tenants in pure vileynage. Kelham's Domesday, 200. See Mad. Exchequer in the Index, in art. *drengs* and *theins*.

(*z*) Hugh Morville granted to the canons of Dryburgh half a carucate of land in the *territory* of Newton [Newton-Don], with common of pasture in the same territory, for nine oxen and one horse. Chart. Dryb., No. 151. Gilbert, the son of Aldan of Home, granted to the monks of Kelso, in the *territory* of Waderley, during the 12th century, 5 acres "ad toftum et croftum," and other 5 acres of arable lands "in campo," with common of pasture for 100 sheep and 40 cattle, with their lambs and calves till three years old. Chart. Kelso, No. 298. Patrick, the Earl of Dunbar, during the reign of William the Lion, granted to the canons of Dryburgh, Elvinsley, with two bovates of land in Ercildoun, and a toft and a croft, with common of pasture for 100 sheep, 12 oxen, 12 swine, and 2 horses. Chart. Dryb., No 82. Richard de Mauteland granted to the same canons, during the reign of Alexander III., the lands of Snawdon, which Walter de Gilming held, "in *feodo* meo de Thirlestane," with the common of pasture for 400 sheep, 60 cows, 20 horses, with their followers of three years old. Ib., 89. During the 13th century, Andrew, the son of the late Gilbert Fraser, granted to the monks of Kelso a carucate of land, which he had bought in the territory of Wester Gordon, and three acres of meadow "in *dominico* de Gordon, with common of pasture for 40 cattle, 100 ewes, or as many wedders, together with a *vileyn* and *his issue*. Chart. Kelso, No. 123. The same monks held, at Gordon, half a carrucate of land, pertaining to the church, with common of pasture for 5 score young cattle and 400 wedders, wheresoever the cattle or sheep of the lord of the manor pastured, without the corn and meadow-land. Ib., 19. At Horneden, the same monks had similar rights. Ib., 23. Add to all those intimations, that by virtue of a canon of the thirteenth century, every parson or vicar was entitled to common of pasture throughout his own parish. For exposition of all those measures of land, see Caledonia, i., 807-9.

The *leases* of those times were for long terms both in England and Scotland; being for fifty years and for life (*a*). The monks of Kelso granted a lease for twenty years to Thomas Batail, burgess of Berwick, of a carucate of land in Bondington; paying three marks of silver, and sustaining and meliorating the houses (*b*). In 1233, Thomas de Thirlestane, and Agnes, his spouse, leased the lands of Hedderwick in their territory of Thirlestane, to the monks of Kelso during ten years, for forty marks of silver to the proprietors in hand paid (*c*).

The rent and value of land in different parts of this shire must have been various, from the nature and locality of the thing. At the end of the thirteenth century a carucate of land which the monks of Kelso enjoyed at Gordon, with the common easements, rented for two marks. A carucate of land in Home, with four tofts and the common easements in the manor, rented for six marks yearly (*d*). The half of Ulfkilston in Lauderdale, used to rent for twenty marks yearly (*e*). At Greenlaw, a carucate of land which the vicar used to hold, rented for two marks. At Greenlaw, the monks of Kelso had also two bovates of land, with a croft and a toft near the church, and five acres in another part, which all rented for one mark and a half yearly (*f*). Such are the notices which would lead a judicious reader to infer that lands and tenements during the 12th and 13th centuries were cheap, and that money was scarce.

The husbandry of this shire during those centuries, consisted more, perhaps, in the feeding of flocks and the rearing of cattle, than in the production of corn by the labours of the plough (*g*). A practice was much followed in

(*a*) Caledonia, i., p. 794. (*b*) Chart. Melrose, No. 47.

(*c*) See the Chart. of Kelso throughout.

(*d*) Chart. Kelso, 20, 26. (*e*) Ib., 26.

(*f*) Chart. Kelso, 22. At Mellerstane, a carucate of land, with the usual easements of the territory, rented at one mark yearly. Id. At Fogo, two carucates of land with a mill, rented yearly for ten marks. Ib., 23. At Bondington, in the vicinity of Berwick, near St. Laurence church, two carucates of land, with two tofts and the usual easements, rented yearly for six marks. Ib., 24. In 1276 John de Lindsay, burgess of Berwick, engaged to pay to the monks of Newbotle 21s. 4d. sterling, for a burgage tenement in the Southgate of Berwick. Ib., 208. At the end of the thirteenth century, one mansion, with three scope, in Huddingate, of Berwick town, rented for ten marks. Ib., 25. The monks of Kelso had at *Tweedmouth* a certain edifice, with a spring and three acres of land, which rented yearly at 20s. Ib., 24. At Spertildon, a brewhouse let for 6s. a year. Ib., 22.

(*g*) The monks of Kelso had a grange at Spertildon, which they laboured with two ploughs; they had in the pasture, 1000 ewes, 400 wedders, 40 plough cattle, and a proportion of swine. At the

that age which is sometimes adopted at present. From the granges on the Tweed below were sent to the Lammermuir above the flocks and herds of the husbandmen, who delighted to have during the summer their pasturages or *schealings*, or *scalingas*, on the heights (*h*). The kings, the bishops, the barons, the monks, had all large studs for the breeding of horses, exclusive of

same place they had sixteen or more cottages for their *herdsmen* and labourers with their families. Ib., 21. This document explains very distinctly the whole economy of those times as to the disposition of a *grange*, whence we may infer that the farm was rather subsidiary to the sheep, that hands were plenty and labour cheap.

(*h*) The word *scalinga* has puzzled all the antiquaries. I was myself misled by Cowel, who explains it to mean a *quarry, a pit for stones*, or *rather slates*, for covering houses. Caledonia, i., 794. It is apparent that Camden did not know the Latin word for the *scheales* and *schealings*, of which he gives an account, as existing in Gillesland during his time. He describes the herdsmen upon the wastes of Northumberland and Cumberland as a sort of *Nomades*, who lived in huts dispersed from each other, which were called *Scheales* and *Schealings*. Brit., 1594, p. 613. It is only from the context of many charters that the meaning of the *scalingas* can be ascertained to mean pasturages in rather a secondary sense. Gospatrick, the Earl of Dunbar, granted to the monks of Kelso "scalingas de Bothkill per rectas suas divisas;" and this grant was confirmed by Malcolm IV. Chart. Kelso, 377. That the *scalingas* of Bothkill mean the *schealings* of Bothkill is ascertained by a charter of Patrick, the Earl of Dunbar, to the same monks, during the reign of William the Lion, in which the same place is called Bothkil-*scheles*. Ib., No. 71. In the vicinity of Bothkil there are the names of several places which terminate in *sheals*, as Win*sheels*, Hen*sheel*, Gamil-*sheels*, Bawsheel, &c. Blaeu, No. 8. The *Scalingas*, which were granted in Berwickshire by charters of the twelfth and thirteenth centuries, lay all in the Lammermuir. Several manors in the Merse appear to have had *scalingas* or *shealings* in the Lammermuir belonging to them for summer pasturage. In the twelfth century William de Veterepont granted to the monks of Kelso "quosdam *Scalingas* in Lambermore que pertinebat ad Hornerdane." Chart. Kelso, No. 317. Now, Hornedene is in the lower parts of the Merse. The same practice prevailed in East Lothian, on the northern declivity of the Lammermuir. The men who cultivated the Earl of Dunbar's lands of Pinkerton during the twelfth century had their *scalingas* or schealings in the Lammermuir. In the charter of Malcolm IV. to Walter, the son of Alan, *scalingas* are mentioned as *pertinents* of the lands granted; Walter was to hold the same as freely and honourably "in villis, in *scalingis*, in campis, in pratis, in pascuis." Chart. Antiq. Bibl. Harl., 10. *Scalinga* is merely the Latinized form of *schealing*, which is derived from *scheal*, and is only the A. Sax. *scel, sceele, scyle*, a separation, or division, though Ruddiman tries to derive this word from the *French* or the *Italian*. It was of importance to settle the real meaning of the word *scalinga*, as the charters of the twelfth and thirteenth centuries cannot be understood without knowing the import of every word in them, and this understanding opens to our intelligent eyes the agricultural practice of those times. In June, 1478, the Lords in Parliament decreed that Walter Stewart of Cluny had done wrong "in castin doune of the *schelis* in the lands of Farsach, belonging to the bishop of Dunkeld," and adjudged that the said Walter should "make the said *schelis* up again." Parl. Record, 228. Dugdale did not understand the meaning of this word, for he repeatedly writes it *scalings* for *schealings*. Dug. Bar., ii., p. 96-97.

those which ran wild in the forests (*i*). During those centuries the husbandmen raised oats, wheat, barley, pease, and beans (*k*); and they made hay (*l*). Much of the oats, wheat, and barley, were manufactured into flour, meal, malt, and ale; every manor had its mill; the king had many mills; and every lord of a manor had his malt-kilns and his brewhouses for supplying a salubrious beverage to his people (*m*). Every house in the towns and villages appears, in those days, with a garden for raising culinary herbs (*n*). In such a country their fuel must have been originally wood, afterward peats, and in the progress of improvement coals, as we may learn from the chartularies (*o*).

Such, then, was the georgical economy of Berwickshire during the Scoto-Saxon period. The rural affairs of those times were obviously conducted with

(*i*) In 1247, Patrick, the Earl of Dunbar, sold to the monks of Melrose his stud, "totum *equicium* meum, quod habuit in feodo de Lawder." In a prior age the worthy Cuthbert, while a youth, tended his flocks on the Leader: "S. Cuthbertus juvenis custodiam pecorum habuit juxta Loder flu. in montibus altis" [the Lammermuir]. Lel. Col., ii., 327.

(*k*) Caledonia, i., 796. In 1300, the price of wheat was 7s. sterling a quarter, and of oats 3s. 6d. a quarter. Ib., 797.

(*l*) We may perceive in the chartularies of Kelso and Coldingham, that *hay* was then made for winter provender. Hay had even then become subject to tithes, and there is a letter to the monks of St. Bothan, desiring them to pay 12d. or one pound of pepper, "pro decimis *foeni* ejusdem prati in Byli." Chart. Colding., 21. *Hay* and mills paid tithes in England as early as 1225. Prynne, iii., 71.

(*m*) Caledonia, 796-7. Chart. Kelso, No. 4.

(*n*) Peter de Haig of Bemerside granted to the monks of Dryburgh two bovates of land and one messuage, "et horto," in his territory of Bemerside. Chart. Dryb., No. 97. Nicolas Mayses granted in 1307, to the monks of Kelso, his right "in illo cottagio, cum horto," which Tyock, the wife of Andrew, held of him in Bondington, near Berwick. Chart. Kelso, No. 41.

(*o*) Caledonia, i., 793. Ada of Fawns granted to the canons of Dryburgh a *petary* in the territory of Fawns. Chart. Dryb., No. 145. Sir Adam Gordon granted to the same canons another *petary* in the same place. Ib., 146. Richard de Fawns granted to the same canons a *turbary* in Fawns. Ib., 149. This grant was confirmed by Patrick, the Earl of Dunbar. Ib., 150. *Fawnys* is now *Fans* in Earlston parish. The monks of Kelso had two peataries in the territory of Gordon, where they dug their peats. Chart. Kelso, 20. Thomas de Gordon conferred on those monks "quandem partem *petarie* meo, que vocatur *Brun-moss*, in territorio de Gordon," with land, for the conveniency of working the moss; and also the liberty of pulling *heath* wherever they can in the several territories of Thornditch and Gordon, and to take wood from his woods, in consideration of their agreeing to bury him in their cemetery of Kelso. Ib., 121. William de Hetley granted to the monks of Kelso leave and power, "construendi et habendi super terram meam de Melocstane *pontem* ultra rivulum de Blackburn," to carry their peats and other goods beyond the said bridge. Ib., 135-6.

so much skill and comfort as to justify the praise of Alexander III., for the *gamen* and *glee* which were enjoyed under his plenteous reign. But his demise, without issue or a successor, ruined all. Bloody and wasteful wars for the succession of the crown ensued. What agriculture could the husbandman have during hostile ages, when the great operations of perpetual warfare consisted in frightful devastations (*p*). The events which constitute the history of Scotland during those rugged times, and of which Berwickshire had its full share of frequent waste and woe, evince how impossible it was for the tillers of the soil to pursue their useful labours upon any settled principles, even down almost to our own times (*q*).

It is a more agreeable task to trace the beginning of its agricultural improvements than to recapitulate the progress of its miseries. The legislature laboured in vain during those wretched ages, when it tried by salutary laws to animate a ruined peasantry. It was only at *the Union* that the star of agricultural

(*p*) The value of the rental of Berwickshire, at the demise of Alexander III. in 1286, and of David II. in 1371, was in the proportion of £622 to £372. Caledonia, i., 816. In 1467 there was an inquisition made, under the authority of Parliament, of each man's rent in each shire. In Berwickshire the inquisitors were the prior of Coldingham and the laird of Nisbet. Parl. Rec., 151. I presume it is vain to inquire after the result of that inquisition into every man's rent.

(*q*) John Ray, the botanist, who made a *simpling* journey along the east coast to Scotland in 1660, made the following remarks: He was at Berwick on the 16th of August. "The river "Tweed is here joined with a stone bridge of 15 arches. Here hath been a very goodly castle, "which is now demolished. The upper town is encompassed with a wall which is not very "strong; within this wall is a large ground or green, whereunto the inhabitants bring their cattle, "and let them stay all night, and in the morning drive them out again to pasture. The lower town "is very strongly fortified with a broad and deep ditch of water, and against it an impenetrable "bank of earth, faced with freestone against the ditch. This town is still kept with a strong "garrison. Here we saw in the cliff by the shore, a cave, called the Burgesses cave, not worth "the remembering, and a hole in the rock, through which a boat may pass at full sea, called the "Needle's Eye. We observed little or *no fallow grounds* in Scotland; some *ley ground*, we saw, "which they manured with sea wreck. The men seemed to be very lazy, and may be frequently "observed to plough in their cloaks. It is the fashion of them to wear cloaks when they go "abroad, but especially on Sundays. They have neither good bread, cheese, nor drink. They cannot "make them, nor will they learn. Their butter is very indifferent, and one would wonder how they "could contrive to make it so bad. They use much pottage, made of coalwort, which they call *kail*, "sometimes broth of decorticated barley. The ordinary country houses are pitiful cots, built of stone, "and covered with turfs, having in them but one room, many of them no chimneys, the windows very "small holes and not glaz d. The ground in the valleys and plains bears very good corn, but especially "bears barley or bigge, and oats, but rarely wheat and rye." See Select Remains of the learned John Ray, Lond., 1760, 185-89.

meliorations began to twinkle (*r*). But the year 1723, the epoch of the Society of Improvers at Edinburgh, was also the epoch of georgical improvements in every shire (*s*). The year 1730 is stated, however, as the true era of efficient and lasting improvements in Berwickshire. Mr. Swinton of Swinton, is recorded as having then begun "to drain, marle, and inclose his whole lands, which are still the best fenced estate in the Merse (*t*)." He was immediately followed by Mr. Home of Eccles in this useful pursuit. But 1746 is marked as the year when the late Henry Home, Lord Kames, began to improve his paternal estate by the introduction of turnip husbandry for the sustentation of cattle; and the cultivation of potatoes by the plough for the food of man. He was followed in those useful practices by other country gentlemen, who extended his noble example (*u*). Among those improvers was conspicuous Mr. Fordyce of Ayton, who has the merit of adding a new plant, the Scottish cabbage, to the husbandry of Berwickshire (*x*). Mr Lumisden of Blanerne, after adopting all former improvements, by his practice introduced the Essex oats, the Siberian barley, and carrots, as an article of husbandry (*y*). To all those must be added the late Doctor Hutton, the geologist, who, after studying practical agriculture in Norfolk and in Flanders, began to improve his estate of Sleighouses, near Duns, in 1755 (*z*). Yet had all those examples been vain if the farmers had not generally concurred in adopting the most useful practices, and in considering improvement and profit as in effect the same. This spirit was active in 1776, when Wight, the agricultural tourist, cast his intelligent eyes upon Berwickshire (*a*). The high state of georgical meliorations in Berwickshire is plainly owing to the minute division of the territorial property. There are no overgrown estates here; and thus is Berwickshire distinguished by a state of property most friendly, in essential respects, to the true interests of genuine agriculture (*b*). In addition to the benefits of enclosing, and the advantages of draining, the means of fertility were marle and lime:

(*r*) In Lord Belhaven's *Advice to the Farmers*. By the union, a great and ready market was opened in England for the cattle and other products of agriculture, though the fact seems to be that the price of wool greatly fell when the export of it by sea was prohibited.

(*s*) Maxwell's *Select Transactions* of this Society, 1743.

(*t*) Bruce's Agricult. View, 103. (*u*) Ib., 104. (*x*) Id. (*y*) Id.

(*z*) Ib., 105; Phil. Trans. Edin., v. 45.

(*a*) Agricultural Survey, vii., 277-354. "This county, says he, opens a fine view to a speculative farmer, as here every sort of improvement goes on sweetly."

(*b*) Home's Report, 19-20. The medium amongst the yearly rentals of estates may be taken, he says, from £300 to £1200 sterling, and one estate only exceeds £5000.

The practice of marling continued till the year 1758. This slow fructifier was succeeded by the more active energizer, lime, which was itself somewhat superceded before 1780, by the excellent methods of the turnip husbandry, which had now become general.

Yet is it commonly agreed that, all those efforts had been made without ultimate success, if roads had not been established and communications formed, as the first principle of all rural improvements. The two great roads from Edinburgh to London, which pass through Berwickshire, the one by Greenlaw to Cornhill upon the western extremity, and the other by the Press to Berwick upon the eastern, were the first roads that were placed under the useful regimen of turnpike laws. The first was made under an act, which was passed in 1759 (*c*); the other was formed under an act passed in 1787 (*d*). The roads in Berwickshire extend to upwards of 647 miles. Yet were not they made without opposition by those who did not or would not see the useful consequences that would result to their country from those improvements (*e*). The Coldstream bridge was opened in 1766, the Pees bridge was finished in 1789; and those two bridges, by facilitating communications, have contributed in a high degree to the improvements of Berwickshire, connected as they are with those great roads, which are kept in good repair; and which enable the husbandmen to send out their products, as well as to bring in both lime and coals.

The climate of Berwickshire is rather unfriendly to those improvers, who have not been diligent by plantation to shelter the bare and to warm the chill (*f*). By draining the moisture from the surface; by supplying more abundant and better fuel; the lower orders have become much more healthy (*g*). Along the coast, and along the Tweed, the climate is mild; but as one advances into the heart of the country, the air is felt to be cooler every mile as he proceeds, till

(*c*) 33 Geo. II., ch. 56. It was under this Act that the bridge near Coldstream was ereeted. The celebrated Smeaton was the engineer, Robert Read was the mason. It was begun on the 7th July 1763, it was opened for carriages on the 28th of October 1766, and it was finished in the subsequent Deeember.

(*d*) 27 Geo. III., ch. 89. Under this Act was ereeted the Pees bridge. By the 29 Geo. III., ch. 42, there were granted out of the forfeited estates £1000 for completing the Pees bridge.

(*e*) In July 1792, the most violent tumults broke out in Berwiekshire, on account of those turnpike roads. Stat. Acco., xv., 188.

(*f*) Home's Report, 11. Before the year 1794, almost the whole, or two-thirds at least, of the lands in the lower district [the Merse] were inclosed, and a considerable part of the arable lands in the higher distriet [Lammermuir] were also inclosed. Low's View, 45.

(*g*) The Stat. Aeco. throughout.

he has advanced upwards 1,000 feet above the sea-level; and it requires another elevation of 300 feet before he can mount the heights, which form a part of a high ridge that stretches from sea to sea (*h*), and is chilled by a constant current of noisome winds, and by frequent rains.

Of old, as we have seen, every manor had its waste or common, whereon the tenants were entitled to feed their flocks in various proportions. But this ancient state has long since been changed, no promiscuous pasturages now exist, and even the commons of Lauder, of Duns, and of Coldingham, have been at length divided, and in a great measure appropriated (*i*). Even the old distinctions of *infield* and *outfield* have almost disappeared, though the infield is still the most productive, and the outfield requires the most manurance. By all those measures, the rents of farms have advanced, in the progress of improvement, from ten to fifty pounds, and from a hundred to eight hundred, and even to a thousand pounds a-year. It has now become the firm persuasion of the shire "that small tenants cannot contribute to the improvement of it, or to the raising the rents." Yet are there intelligent men who do not approve of over-grown farms, as they think they will not, in the end, prove either useful to the proprietors, or advantageous to the state. This sentiment is warranted by the fact for farmers of great skill and stock have emigrated from the circumscribed bounds of Berwickshire to other counties, for carrying on their useful labours without feeling "the *rack* of this rough world (*k*)."

It may be easily supposed of such husbandmen, that they well know how to practise all the *artifices* of agriculturalists. There is a wonderful dexterity among the farmers in this shire, saith Low, in turning their lands from tillage to grass, and from grass to tillage, according to their fears of loss or hope of profit (*l*). The rotation of crops they know how to manage to the greatest advantage. Fallow is followed by turnips; barley prepares the ground for grass-seeds; and hay or pasture is followed by wheat. But there is a peculiarity in the rotation of crops here, which evinces the sagacity of the

(*h*) Low's View, 11. (*i*) Ib., 50. (*k*) Home's Report, 30.

(*l*) General View of the Berwick Agriculture, 14. We may remember that John Ray, the botanist, found in 1660 the forefathers of those farmers not very skilful, nor very willing to learn. This marks a considerable progress in the character of this useful race. John Ray also remarked that the ploughmen *put on their cloaks* when they went to plough. Mr. Home observes in his Agricultural Report, 100, that the labouring servants "have put off the long clothing, tardy pace, and lethargic look of their forefathers, for the short doublet, the linen trowsers, the quick step of men who are labouring for their own behoof, and work up to the spirit of their cattle and the rapid evolutions of the threshing mill." Here, then, is another step in the progressive advancement of a very useful class.

farmers, that there is really no fixed rotation, but each husbandman adopts such crops as are most suitable to the occasion. This is the very essence of good husbandry, which Tusser himself would commend (*m*). The change, however, is very rapid from tillage to grass and from grass to tillage, without much regard to any settled rotation. In this county the rearing of stock is a great object. Sheep are bred in vast numbers; cattle are bred to great advantage; swine are reared to some profit; but, of horses they do not raise a sufficient supply for the various uses of their domestic economy. It is another mark of the great sagacity of the Berwickshire farmers, that each kind of their stock seems the best adapted to their several pastures and pursuits (*n*). Here those theorists who are given to change might learn a lesson, that it is not the best stock which is to be desired, but the best stock for the clime and pasturage.

The result of all those efforts of melioration by the proprietors and farmers, during seventy years of skilful diligence, may be estimated thus:

	Sterling.		
The yearly value of corn grown	£373,786	4	0
The yearly value of the pasturage	108,812	11	3
The whole value of the agricultural products	482,598	15	3
The whole expenditure in rent, labour, subsistence, seed, contingencies, &c.	405,505	11	5
The farmers' profit	77,093	3	10
The living of the farmers is stated at	82,600	0	0
The farmers income	159,693	3	10
The rents paid to the landlords	112,000	0	0(*o*)

[In 1887 there were 60,775 acres of corn crops; 32,838 acres of green crops; 60,923 acres of clover and grasses under rotation; 42,286 acres of permanent pasture or grass. In the same year there were 5276 horses; 14,133 cattle; 278,168 sheep; and 3976 pigs.]

It used to be remarked by the late Lord Elibank, of the Merse husbandmen, that they were begot in mud, were bred in mud, and abounded in muddy

(*m*) Ib., 28. (*n*) Low's View, 19.

(*o*) Home's Report, 104-5-6. The above account was drawn up by that well-informed writer in 1797. He adds that out of twenty-seven purchases of land, within these twenty years, in Berwickshire, fifteen of them have been made by tenants from their profits. The very well-informed and experienced Alexander Low, who sketched the "General View of the Agriculture of Berwickshire in 1794," wrote me on the 19th of September, 1807, that he thinks the rental of Berwickshire may have doubled since he drew up his account of it, MS. Letter.

ideas. Never was sarcastic wit so ill applied! Among the intelligent people of the British dominions, there is not any body of men who have clearer heads, more resolute hearts, or more diligent hands, than the husbandmen of Berwickshire. When the trustees for fisheries and manufactures sent Wight to inspect the agriculture of that county, they showed him their farms, and explained to him their practices; and when he wrote them for additional informations, they sent him answers, the clearest and most candid (*p*). Such, then, are the characters of those respectable men to whom the state owes great obligations for having made so large a district produce an infinity of food more than it had ever yielded in any former period. They are reprehended, indeed, by fastidious moralists, for living too high (*q*). But men of great skill, great capital, and great enterprise, have a right to live high; and their women and children have a fair pretence to partake of their good fortunes (*r*). Much has thus been done for the agricultural improvement of Berwickshire; and perhaps little remains to be done for carrying it up to possible perfection (*s*).

But Berwickshire does not claim the honour or enjoy the profits which belong to a manufacturing country. In this shire, like every other, there must have always been a domestic manufacture for private uses (*t*). Of this nature are the woollen fabrics of the present day. The wool is sold in the great, without the county. The manufactures of this shire, whatever they were of old, are said to have declined with the rise and progress of agriculture (*u*). There has

(*p*) Wight's Agricultural Tour, ii.. throughout. (*q*) Statistical Accounts.

(*r*) Of their forefathers, John Ray, the botanist, remarked in 1660, "that they lay out most they are worth in clothes, and a fellow that hath scarcely ten groats besides to help himself with, you shall see come out of his smoaky cottage, clad like a gentleman." Ray's Itinerary, 189. Here is another point of comparison. The present farmers appear like gentlemen, and no longer live in *smoaky cottages*, not from their *lazyness* but their industry; not from their poverty but their wealth; not from their ignorance, but from their skilful application of the most efficacious means.

(*s*) The agricultural reports of the county of Berwick have been lately drawn up with great knowledge and elaboration by Mr. Low, Mr. Bruce, and Mr. Home. I lament that the narrowness of my plan should prevent me from borrowing their intelligent statements and larger details to a greater extent.

(*t*) In 1371 there existed a *fulling*-mill at Lauder, which had perhaps come down from the Morville's of the 12th century, and was certainly forfeited by their representatives, Alan Le-Zuche and John Baliol. Robertson's Index, 92. Now, Lauder has never been famous for its manufactures. In 1473, there was in Parliament an action between Oliver of Lauder, and David Pringill, touching the thrilling [thirling, astricting] of the lands of Pilmur to the *mill of Lauder*. It was referred by the lords auditors to an inquest, but the proceedings was stopped by the king's letters. The lords referred it to the king, thinking that the inquisition ought still to be taken. Parl. Rec., 179.

(*u*) Home's Report, 107.

been a saltwork. There are several breweries, a distillery, and tanneries, which are all connected with husbandry. There is a white thread manufacture, and there are bleachfields. The manufacture of kelp on the shores of Berwickshire have taken the commodious place of the former salt-works (*x*). There are three paper-mills which send out their products to other districts, and which return the undertakers every year £11,000 (*y*). There is, indeed, in this shire, a sickly manufactnre of linen, which is made for sale and not for family use (*z*). There are seventy-four corn mills in this shire, which yield a rent to the landlord of £4,255 ; and the profits to the several millers are estimated at £12,765. The mills, which stand within ten miles of Berwick and Eyemouth, export their manufactures of corn to a great value (*a*).

The origin of the *sheriffs fiers* in Berwickshire, which are yearly settled at Candlemas for the preceding crop, cannot be ascertained amid the obscurities of anarchical times. Their commencement, however, must have been some time after the year 1627, which may be deemed their earliest epoch in any shire. Notwithstanding all the attempts to acquire uniformity of weights and of measures, Berwickshire has felt the various inconveniences of their dissimilarities at the several periods of its embarrassments and prosperity (*b*).

Neither is Berwickshire a commercial country, though it was the first to take the lead in traffic. Berwick-town had merchants during the early reigns of

(*x*) Stat. Acco., iii., 18 ; xii., 46.

(*y*) Low's Agricult. View, 73 ; and Home's Report, 107.

(*z*) In the three years which ended with 1789, the average produce was 21,295 yards, of the value of £1,628 sterling. In the three years which ended in 1800, the average produce was 17.606 yards, of the value of £1,613.

(*a*) Home's Agricult. Report.

(*b*) In 1750 the corn measures of Berwickshire were adjusted to the Linlithgow standard. Scots Mag., 395. Yet the boll, which is most generally used for barley and oats, is equal to one boll six pints Scots standard measure, or six bushels one peck and 2.4 cubic inches English standard, and is a fraction more than two lipies greater than the Linlithgow and Edinburgh boll. Till 1724 the boll of meal was rated according to the old measure, yet is it now eight stone Scots troy, which is equal to 140 pounds avoirdupois, being the same as the Linlithgow boll. According to a seven years average of *the fiers*, ending with 1795, the prices were, of wheat, 23s. 9d. ; barley, 17s. 9d. ; oats, 13s. 6d. ; pease, 16s. ; and oatmeal, 14s. 6d. a boll. On this subject, see the Statistical Account of Greenlaw, xiv., 514. The fiers of the Merse barley were first settled in 1752, which seems to intimate that barley began to be then an object of common cultivation. The fiers of the barley of Lammermuir were first adjusted in 1788, which seems to show the more recent cultivation of it in this high situation, which produces corn of less weight and value than the Merse below.

Malcolm IV. and David I. (*b*). Both at the commencement and the conclusion of the Scoto-Saxon period Berwick-town was probably the principal port of Scotland. It brought in the wines and groceries and merceries which the wants of a coarse people demanded, and it exported the rude produce of the flocks and herds during a pastoral rather than a commercial age (*c*). It was from ancient times one of the *four burroughs* which regulated the traffic of Scotland. After Berwick-town had ceased to belong to North-Britain, it continued to be a place of great consequence for war, for treaties, and for trade (*d*). Edward II. had a *cambium* or mint at Berwick, as William the Lion had had before him (*e*). In 1482, Berwick and Carlisle were made the legal staples for the products of Scotland (*f*). Many ships seem never to have belonged to Berwick-town. In 1801 it had only 62 vessels, carrying 5,150 tons (*g*). The Berwick *smacks* during late times are praised for their expedition and safety, which are said to surpass any other vessels in our island (*h*). But Berwick-town, though the natural, is not now the proper port of Berwickshire. The whole coast from Berwick bounds to Dunglas is included in the customhouse district of Dunbar, which was established in 1710 (*i*). This port, though it includes the creeks of Eyemouth, Coldingham, and Cockburnspath, possesses only 20 vessels, carrying 2,321 tons; and thus may we perceive how little shipping belongs to Berwick coast (*k*). But,

(*b*) David I., when he granted to the monks of St. Cuthbert various manors along the coast of Berwickshire, confirmed to them "fracturum navium," the right in *shipwrecks*. MS. Monast. Scotiæ, 17.

(*c*) See the Chartularies of those times. The religious houses on the Tweed employed their tenants who owed them *carriage-services*, to transport their hides and skins, and wool and corn to Berwick port, and to bring back with them wines, groceries, merceries, and coals. The tenants of the monks of Kelso were bound to perform their services to Berwick. Chart. Kelso, 12, 13, 15. The road along the Tweed from Melrose, Kelso, and Dryburgh, was founderous, but the performers of *those services* appropriated their loads and their time to the roads of summer and of winter.

(*d*) Ayloffe's Cal. Index, in vo. Berwick.

(*e*) Edward II. appointed R. de Sutton comptroller of the customs *et cambij*, at Berwick-upon-Tweed. Abbrev. Rot. Origin., i., 227. From Edward II. the burgesses of Berwick had to farm the whole fishings of the Tweed on both sides, from the Ord to the sea. Ib., 258.

(*f*) By 22 Ed. IV., ch. 8. (*g*) Customhouse Register.

(*h*) Fuller's Hist. Berwick town, 421-26.

(*i*) In 1369, when Berwick and Roxburgh were both in the hands of the English, and carried on most of the trade of Berwickshire, Dunbar was erected by David II. into a port, which was to be coextensive with the earldom of the *March*. Robertson's Index, 80.

(*k*) MS. Customhouse Report.

Berwick still continues to be the principal place for carrying on the whole trade of the eastern and lower districts of this shire. Eyemouth, however, a creek of the port of Dunbar, and the only harbour for shipping in this county, has been raised up as a competitor to Berwick. Yet, though much money was expended in 1750, and an additional sum in 1770, for erecting at Eyemouth two piers, it continues to be little more than a fishing village with half a dozen boats (*l*). Eyemouth, as a place of trade, is obviously overshadowed by Berwick on the south, and Leith on the northward. The whole exports of this shire consist now, as they have always done, of the produce of agriculture. The cattle and sheep are driven southward into England by the bridges of Berwick, Coldstream, and Kelso; and are sent northward to Edinburgh along the eastern road from Greenlaw, and along the western from Dunglas. The corn, and flour, and meal are exported from Berwick and Eyemouth to a great amount and value; and for all these there are considerable markets at Dalkeith and Edinburgh, which are supplied by the farmers through the easy means of the two turnpike roads, from Berwick bounds on the east, and from Coldstream on the west. The imports both by sea and land consist of timber, iron, slates, pantyles, grass seeds, salt, rags, lime, coal (*m*). From all those intimations it is sufficiently apparent that the domestic affairs of Berwickshire are in a very prosperous state.

(*l*) Yet Eyemouth seems to have had shipping of old. There is the "Magna Placitatio, in curia de Eyton, pro duodecim denariis male receptis, per J. Kinkborn, nomine sedis unius navis, apud Eyemouth." Ab. Chart. Coldingham. 22. Low's View, 85; Bruce's Appendix, 108; Stat. Acco.. iii.. 115.

(*m*) Low's View, 69. The subjoined table will give an idea, sufficiently precise, of the whole value of the produce of Berwickshire:

	£.	s.	d.	
Of the products of *land*, the value was in 1797	487,398	15	3	
of manufactures	35,451	13	4	
of the Tweed rental for fishery	1,500	0	0	
of the sea fishery	1,188	2	0	
The whole gross value	£525,538	10	7	
But deduct for the landlord and tenant	271,693	3	10	
Out of the manufacturing produce	16,451	0	0	
Out of the waters	2,688	2	0	
The clear revenue of Berwickshire	290,835	5	10	
	£525,538	10	7	*

* Home's Report, 119.

The fisheries of this county have from early times been the objects of desire and of concession. Every religious house had its fisheries, as we may learn from the chartularies. Earl David bestowed on the monks of Selkirk the half of the fishing, which was called *Berwickstrem* (*n*). The barons were equally bountiful of their fishings to the monks, as the kings (*o*). Throughout every period, since those early times, the fishings of salmon and trout in the Tweed, through its whole course and in its tributary streams, have been objects of particular care (*p*). This fishery, which employs, during the appropriate season, three hundred hands, is dedicated chiefly to the supply of London (*q*); and being thus a local and general good, this fishery has been regulated and protected by several parliaments (*r*). The shores of Berwickshire have also a herring and white-fishery, which employ two and twenty boats, with one hundred and twenty-five men, who feel, by turns, the extremes of abundance and of penury (*s*).

(*n*) Chart. Kelso, No. 4. He confirmed this grant after he became king. Ib., No. 1. David I. gave the canons of Jedburgh, "Unam aquam que est contra insulam que vocatur Townsendhope," at Berwick. Earl Henry gave the same canons a fishing at Berwick. MS. Monast. Scotiæ, 29. David I. gave to the monks of Dunfermline, "tractum de *Aldestelle*," in Berwick. Ib., 105. Malcolm IV. conferred on the monks of Melrose, a fishing in the Tweed at Selkirk, "et enum rete in Berwick streme de duobus retibus meis que habui in Berwick streme." Chart. Melrose, No. 56. A jury of Berwickshire freeholders, sitting at Edinburgh on the 15th June, 1480, found for the monks of Dunfermline, as to the fishing of *Aldstelle*, "that since there are *two cobils* and *two nets*, there ought to be two draughts for ilk cobil and ilk net." MS. Monast. Scotiæ, 22. Robert I. granted to the monks of Melrose certain fishings and a tenement at Berwick. Robertson's Index. 3. The same king granted to the monks of Newbotle, "decem mercatas argenti annuatim de *piscaria* de Edir-inch super Twedam." Id.

(*o*) Bernard de Baliol conferred on the monks of Kelso, a fishing in the Tweed called Wudehorn-stell, and this grant was confirmed by David I. Chart. Kelso, No. 51, 32. In the 12th century, John de Huntington, rector of Durisdeer, granted to the monks of Kelso, a fishing in the Tweed called the *Folestream*. Ib., 27. During the reign of Alexander II. Claribald de Olifard granted to the monks of Coldingham, two fishings in the Tweed. Chart. Colding., 18. William de Mordington gave to the same monks a fishing in the *Shipswell*, with a *stell net*. Id. Rodger de Quincey, the Earl of Winchester, gave the monks of Dryburgh the liberty of fishing in the *lake* of *Mer*-ton. Chart. Dryb., No. 104. For this lake, see Blaeu. No. 8. It has since been drained for the marl in it.

(*p*) Home's Report, 110. On the 19th of October, 1669, there passed the Scottish parliament, "a recommendation for the heretors of Berwickshire, concerning the fishing on Tweed." Unprinted Act of that date.

(*q*) Home's Rep., 113. (*r*) 11 G. III., ch. 27; 15 G. III., ch. 46.

(*s*) Home's Report, 117. The value of all those fisheries amounts yearly, as we have seen, to £2,688 2s. sterling. Ib., 119.

The writers on the agricultural state of Berwickshire have been studious to show that as it has by various improvements been made to produce a greater number of cattle and sheep, so have the same improvements produced a greater number of men. It may be regarded as a maxim that animals of every kind may be multiplied, in proportion to the multiplication of their subsistence; but it is one of the objects of the agricultural system to do more work with fewer men, and the converting of *villages* into *farms* is unfavourable to the increase of people. The fact must decide this difficult question of domestic economy. From 1791 to 1801 was the period which succeeded the agricultural improvements; and it is apparent that the population of this prosperous district has not kept pace with its efforts. While the farms were freed from their superfluous inhabitants, the people have not anywhere, within the influence of this shire, collected into any great bodies. Berwick-town contains only 7,200 souls; Duns, 3,163 (1881, 2,438); Coldingham, 2,391 (1881, 572); Coldstream, 2,269 (1881, 1616); Lauder, 1,760 (1881, 1014); and Greenlaw, the shire-town, 1,270 (1881, 744) souls. As consumers of the produce of the country, such towns cannot have any great effect. The influence, however, of the fairs of this shire upon its own products, and the happy influences of the more distant markets of the Lothians on the north, and of Northumberland on the south, have been shown, by the agricultural reporters, with great sagacity of observation and pertinence of remark (*t*). It is unnecesary to repeat how much the demands of London, the *great market*, promote the agricultural system of Berwickshire.

§ VIII. *Of its Ecclesiastical History.*] Berwickshire, owing to whatever cause, contains scarcely any remains of Druid worship (*u*). Christianity was introduced here in the seventh century, as we have seen, though its establishment assumed a singular form. In a rude age, when parishes had not yet been laid out, religious houses were founded as the receptacles for men and women, who dedicated their recluse lives to the study of observances and the inculcation of the faith (*x*). The monastery of Coldingham, the *Coludi urbs* of Bede, the

(*t*) Low's View, 23; Home's Report, ch. vi.

(*u*) This circumstance is equally true throughout Lothian, the early country of the Pagan Saxons; and as Druid remains may be found in every other district of North Britain, there is reason to suspect that the Druid remains may have been the peculiar objects of their pagan enmity. The religious houses of Christian times were also the marked objects of their odious devastation.

(*x*) The epoch of the religious house and bishopric of Lindisfarne is 635 A.D., during the reign of Oswald: and this house was considered as the origin of all the churches and monasteries in *Bernicia*, that is of Lothian. Leland's Col., ii., 366.

Colingham of Hoveden was founded for the reception both of male and female votaries. St. Ebb, the daughter and sister of kings, became its abbess in 670 A.D., and had St. Cuthbert for its instructor (*y*). After various fortunes, this house was destroyed by the savage Danes, in 870 A.D. But whether it were re-established as a religious house after that sad event is somewhat doubtful, whatever the chroniclers may feign.

The ancient bishopric of Lindisfarne extended throughout every part of Berwickshire (*z*). With the decline of the Northumbrian authority, the jurisdiction of the bishop of Lindisfarne receded to the southward of the Tweed. As early, however, as the epoch of the Scoto-Saxon period, in 1097, the ecclesiastical power of the bishop of St. Andrews extended over the whole range of Berwickshire (*a*). In 1150 A.D. an episcopal synod sat in Berwick-town, under the authority of the proper Metropolitan *(b)*. The archdeacon of Lothian, who derived his ecclesiastical authority from the bishop of St. Andrews, exercised his useful jurisdiction over the whole parishes of Berwickshire (*c*). The *deanery* of the *Merse* comprehended not only the whole churches of Berwickshire, as early as the reign of William the Lion, but also a few parishes in the shire of Roxburgh and Edinburgh (*d*). The archdeacon of Lothian and the dean of

(*y*) Bede, l. iv., c. 19-25.

(*z*) Leland Collect.. ii,. 181; and see a more minute description of the northern limits of the episcopate of Lindisfarne, in the same Collection, i., 366, wherein the rivers of Berwickshire are specially mentioned as lying within its ancient limits.

(*a*) The chartularies of Coldingham, Dryburgh, and Kelso prove the fact. The Tweed was the limit of the bishopric of St. Andrews as far up as the Gala water, and from the Gala it ran along the ridge which separates Lothian from Tweeddale and Clydesdale.

(*b*) Chart. Colding., 41 ; Smith's Bede, Appx., No. xx. The bishop of St. Andrews granted to the monks of Durham an exemption from attending such synods. Id.

(*c*) Smith's Bede, App., No. xx.; and Chart. Coldingham, 43. In a charter of David I., dated at Peebles in 1126 A.D., to Coldingham, Anselmus *Archidiaconus* is a witness. Robertson's Index, 155. This was no doubt the *archdeacon* of Lothian.

(*d*) According to the *ancient taxatio* [Chart. Arbroath], the *Decanatus de Mers* contained the following parishes, which were assessed as under :—

	Mercas.		Mercas.
Ecclesia de Aldcambus, - - - -	15	Ecclesia de Edirham, - - - - -	100
Ecclesia de Coldingham, cum Capella, -	120	Ecclesia de Duns, - - - - -	110
Ecclesia de Lambirton, - - - -	15	Ecclesia de Ellum, - - - - -	26
Ecclesia de Berwyk, - - - -	110	Ecclesia de Cranschaws,- - - -	12
Ecclesia de Morthyngton, - - -	24	Ecclesia Sti Boithani, - - - -	50
Ecclesia de Fulden, - - - -	24	Ecclesia de Langton. - - - -	30
Ecclesia de Chirnesyd, - - - -	50	Ecclesia de Fyschwyk, - - - -	30

the Merse were persons of great note, as well as authority, in those times (*e*). The deanery of the Merse, however, appears to have been afterwards restricted to much narrower limits (*f*). When the bishopric of Edinburgh was established by Charles I. in 1633, he gave it the same authorities over Berwickshire (*g*). Under that judicious regimen, the ecclesiastical affairs of this ample district continued to be fitly managed, till *the Reformation* placed it under the popular jurisdiction of synods and presbyteries.

Connected with the bishops, the archdeacons and deans of ancient times, were the religious houses which owed obedience to the diocesan power of the episcopate of St. Andrews (*h*). Coldingham, as it was the oldest of all those monasteries which were established during the Scoto-Saxon period, as well as the most various and instructive in its history, merits the most particular notice.

Coldingham was founded during the reign of Edgar, who considered himself as much indebted for his crown to St. Cuthbert's aid as to the assistance

	Mercas.		Mercas.
Ecclesia de Hornden, - - - Sol	100	Ecclesia de Home, - - - -	24
Ecclesia de Huton, - - - -	24	Ecclesia de Stychill, - - - -	35
Ecclesia de Upsetington, - - -	20	Ecclesia de Edinham, - - - -	55
Ecclesia de Hilton, - - - -	18	Ecclesia de Ecclis, cum capellis de Brige-	
Ecclesia de Whytusum, - - -	45	ham, Letham, et Mersinton, - -	100
Ecclesia de Sympring, - - -	15	Ecclesia de Smalham, - - - -	45
Ecclesia de Suinton, - - - -	35	Ecclesia de Malkarriston, - - -	20
Ecclesia de Leinas [Lennel], - -	30	Ecclesia de Merton, - - - -	40
Ecclesia de Foggon, - - - -	40	Ecclesia de Ersildon, - - - -	40
Ecclesia de Paulwrthe, - - -	12	Ecclesia de Ligeardwood, - - -	40
Ecclesia de Grenlau, - - - -	45	Ecclesia de Laweder, - - - -	90
Ecclesia de Gordyn, - - - -	30	Ecclesia de Wedale, - - - -	70
Ecclesia de Haliburton, - - -	4	Ecclesia de Chyldinchirche, - - -	40

(*e*) In 1221, there was a charter granted "in *pleno capitulo de Mersce*, apud Edenham." Chart. Kelso, No. 254. In a charter of William, dominus de Home, to the monks of Kelso, on the 9th of December, 1268, he says, that as his seal was but little known, he had procured the official seal of the archdeacon of Lothian, and of the dean *del Merches*, to be affixed to his deed. Ib., 131.

(*f*) Martine's Reliquiæ divi Andreæ, 517.

(*g*) See the Charter of Erection in Keith's Bishops, 22.

(*h*) The bishop of St. Andrews granted to the monks of Durham an exemption from attending the episcopal synods within his diocese. Smith's Bede, App., No. 20; and the cartæ episcoporum St. Andreæ, in the chartulary of Coldingham. The monks of Coldingham were, however, subject to the visitation of the same bishop, who was entitled, on such visitations, to meat and drink from them. Chart. Colding., 46.

of William Rufus (*i*). With this conviction on his mind, Edgar knew no bounds to his liberalities to the monks of St. Cuthbert, at Durham; and his subjects and his successors followed the example of Edgar, as indeed the name of Cuthbert was long revered throughout the Northumbrian districts. Edgar granted to those monks many lands and churches (*k*), which were confirmed by Alexander I., and David I., and Malcolm IV., and William. The Earls of Dunbar gave the same monks Ederham, and Nesbit, with their churches and chapels, and other immunities and privileges (*l*).

The year 1093 is the epoch of the foundation of the priory of Coldingham, by the abbot of Durham, who sent a detachment of monks thither, and constituted this priory a cell of Durham. The church of St. Mary at Coldingham was now dedicated to this object: and Edgar himself attending the dedication, endowed it with the village of Swinton; giving the monks of St. Cuthbert four and twenty beasts for restoring the cultivation of this hamlet, with half a mark of money from each carucate in Coldinghamshire; and confirming the same peace within this district as Holy Island or Norham enjoyed (*m*). Edgar granted, moreover, to those monks, Paxton, with the waters and *the men;* and also Fishwick, with the lands lying between Cnapdene and Hornedene (*n*). Yet

(*i*) The legend, as recorded by Fordun, supposes that St. Cuthbert appeared to Edgar in a vision as he marched to Scotland; offered him his standard, and promised him his aid. The fact is that the standard of St. Cuthbert was carried before the army of Edgar, as the standard of St. John of Beverley was displayed before a greater prince than Edgar, Edward I., when he marched to conquer or to chastise Scotland.

(*k*) He granted them the *mansiones* of Coldingham, Alcambus, Lumesdene, Regnuntun [Renton], Ristun, Swinewood, Farndun, Eitun, another Eitun, Prenegest, and Cramsmuthe. Of *mansiones*, the glossarists have not distinctly settled the meaning; but the confirmatory charter of David I., granted in 1126, mentions the same places by the more intelligible word *terras* instead of *mansiones*, adding the two Lambertons, Paxton, Fishwike, and Swyntoun; as indeed Edgar had granted Fishwike, Paxton, and Swyntoun before him. See Edgar's five genuine charters in Anderson's Independence, App., No. 2. Thor-longus gave those monks Ednam, with its church. Ib., No. 6. See David I., charter in Robertson's Index, 155. Those charters of Edgar seem to have been confirmed by William Rufus; but the two duplicated charters which were published by Anderson in his Independence, App., No. 5, are plainly interpolated. The lands granted by those charters are all known at this day, though the spelling of the names be somewhat varied. Farndun is probably Fairnside, Prenegest is now Prendergest, Cramesmuthe was perhaps *Crame*-crook in Duns parish on the Whiteadder, at the mouth of a rivulet, in a bend which was called Crams-*crook*.

(*l*) See the chartulary of Coldingham; the Diplom. Scotiæ; Smith's Bede, App., No. xx.; and Nicolson's Hist. Lib. of Scotland.

(*m*) Anderson's Independ., App. 3, No. 4; Smith's Bede, App., No. xx. The term of peace which was granted to those who fled to St. Cuthbert for protection was thirty-seven days. Angl. Sacra, i., 699. (*n*) Smith's Bede, App., xx.

Edgar does not say that he founded the priory of Coldingham, as David I. said he had founded the monastery in Selkirk, though it must be allowed that Edgar very richly endowed the Church of Mary at Coldingham (*o*). Malcolm IV. seems to have emulated Edgar in his favour to the monks of Coldingham (*p*). William the Lion confirmed all those privileges, and added more (*q*). Alexander II. followed his father's example, in confirming their privileges, and in giving them new ones (*r*). Robert I. not only confirmed all those grants, but gave them the desirable privilege of taking, yearly, from his forest of Selkirk, five harts, for the usual festival of *St. Cuthbert's translation* (*s*).

The establishment of this well-endowed priory within the diocese of St. Andrews, gave episcopal jurisdiction to the bishop. As early, however, as 1127, Robert, the bishop of St. Andrews, by the advice of David I., and influenced, perhaps, by Archbishop Thurstin, and other dignitaries of the English and Scotican churches, gave the prior of Coldingham a grant of exemptions from

(*o*) David I. says, "me fundasse quoddam monasterium, in Scelechyrca."

(*p*) He enabled the monks to people their village of Coldingham with *their proper men*, who could not, it seems, remove from the soil to which they were attached without the king's consent. He gave them a protection for their *vileyns*, and empowered them to reclaim them. He freed the monks from tolls, from customs, and from other exactions. He converted their woods into forest, or free warren. He exempted them and their men from the jurisdiction of Berwick, and indeed from every other judicial authority, except the king himself, or his supreme justice. See the grants of Malcolm IV. in the chartulary of Coldingham. There is also a declaration of the justices in Ayre, sitting at Melrose in 1366, that the prior of Coldingham was not bound to give suit to the king's court. Chart. Coldingham. There is moreover a declaration of William, the Earl of Douglas, the justiciary on the south of the Forth, in 1371, that the justices of Ayre had no right to sit at Coldingham, unless of grace. Id.

(*q*) William issued a writ to the sheriff of Berwick, that he should not make any undue exactions in Coldingham or in Coldinghamshire. He granted them liberty to remove the men of Coldinghamshire to dwell within the town of Coldingham. Id.

(*r*) He gave them a remission of 20 marks, which they paid *nominæ watingæ*. He confirmed their free warren. He exempted their tenants from being distrained for any forfeiture or debt, and he issued a precept to the mayor and other officers of Berwick, directing them not to obstruct the agents of the prior of Coldingham in the sale and export of his wool. Id. *Watinga* and *Waytinga* are frequently mentioned in the chartularies. Now *Guetagium, Gaitagium, Vuatagium*, as we may learn from Ducange, signified, "*census* qui solvitur pro *custodia castri*."

(*s*) Robertson's Index, 154-5. David II. confirmed this charter of his father. Ib., 156. Robert III. added his confirmations of their grants, at an epoch when such charters became of little avail. In the chartulary of Coldingham there is a vast body of grants from the nobility and gentry of Berwickshire to the monks of Coldingham, for lands, fishings, mills, pasturages, and other privileges.

the payment of *can* and *cunveth*, with other aids and services; prohibiting the archdeacon and dean from exercising their jurisdiction over the churches of the prior of Coldingham, at the same time that he gave up his own (*t*). Yet, has not this charter been well observed. Hugh, who governed the see of St. Andrews from 1178 to 1188, seems to have had a contest with the prior of Durham about the payment of ecclesiastical dues, which was not settled without an appeal to the pope (*u*). Roger, the dignified successor of Hugh, granted the prior and monks the desirable right of holding all their churches to their proper use (*x*). The liberal Roger appears to have given them other exemptions of great value, which were also confirmed by his dean and charter (*y*). All those confirmations did not prevent controversy. In 1204, they made a composition with William, the bishop of St. Andrews, on their chartered privileges, which did not prevent appeals to the pope (*z*). Claims were successively made by the bishops, which were ended by conventions (*a*). Trusting to their various exemptions, the prior and monks of Coldingham seem not to have been very punctual in their attendance on diocesan synods (*b*). They were subject to the visitations of the bishop of St. Andrews, the arch-

(*t*) See this charter in Smith's Bede, App. xx. Chart. Coldingham. This ample grant was confirmed by David I. Id. Yet it seems not to have been reinforced by any of bishop Robert's successors. In 1329, however, James Bayn, the bishop of St. Andrews, for a present of 200 marks, gave a charter of protection and favour, and of general acknowledgment of former concessions. Chart. Coldingham, 46. The charter of Robert was always appealed to when help was wanted. Ib., 53-93.

(*u*) Id.

(*x*) For this important end Roger gave them three charters, which were confirmed by the dean and chapter of St. Andrews. Chart. Colding., 43. Before the reformation they had acquired, "in proprios usus," the churches of Coldingham, Aldcamus, Ayton, Fishwick, Swinton, Edenham, Nesbit, Berwick, Bondington, Lamberton, Edenham, Ersildun, Smalham, and Stitchel, with the chapels of Newton, Nenthorn, and others. Chart. Cold. throughout.

(*y*) Those exceptions were, "super *can*, et *cunveth, procurationibus, hospitiis,* et institutionibus ecclesiarum." Ib., 43. This grant was deemed of such great importance that they procured confirmations of it from the prior of St. Andrews and the abbot of Dunfermline. Id.

(*z*) Ib., 44. 53.

(*a*) William Fraser, the Bishop of St. Andrews, granted the monks of Coldingham two charters of exemption "ab hospitio tempore visitationis," in 1286 and 1288. Ib., 45. In 1295, he confirmed their privileges as to the payment of *can* and *cunveth*, which was confirmed by the prior and convent of St. Andrews. Id.

(*b*) In 1310, Lamberton, the Bishop of St. Andrews, issued a precept to the prior of Durham, "quod non comparuit in synodo, apud St. And. ratione ecclesiarum quas habuit in illa diocesis." Ib., 45.

deacon of Lothian and the dean of the Merse as his subordinate officers (*c*). The priors elect were *instituted* by the bishop of St. Andrews, according to the ecclesiastical form (*d*). While this see was vacant, the chapter of St. Andrews executed the same functions, by performing the necessary rite of institution (*e*). During more recent times, while ecclesiastical power was on the wane, the Scottish kings were in use to grant the priors elect admission to the *temporalities* of the priory (*f*).

As Coldingham was planted by a colony of Benedictine monks from Durham, the right of election to the priory of Coldingham appears to have belonged to the prior and monks of Durham (*g*). The priors of Durham appear to have exercised with the priors of Coldingham, a concurrent right over their lands (*h*), and the priors of Durham sometimes presented to the churches which belonged to the priory of Coldingham (*i*). The prior of Coldingham generally voted at the election of a prior of Durham (*k*). The prior of Coldingham attended annually, either in person or by proxy, at a

(*c*) Those *visitations* seem to have been expensive to them, and they were studious to procure exemptions, "ab hospitatione." In 1370, Landels, the bishop of St. Andrews, sent them a "*monitio* de visitatione: et quod provideant episcopo in esculentis, et poculentis." Ib., 47. This monition, however, seems to have been inconsistent with the exemptions of bishop Bayn, his predecessor, on this head of hospitality. Ib., 46. Bayn seems to have had many money transactions with the prior and monks of Coldingham, to whom he granted the tithe of corn in Swinton and Wester Nesbit during four years. Id.

(*d*) Chart. Coldingham throughout. In 1362, there was a mandate from Landels, the bishop of St. Andrews, to institute Robert Walworth to the priory of Coldingham. Ib., 46. In 1419, William Drax. the sacrist, was so instituted by the bishop of St. Andrews. Ib., 47. In 1441, John Oll, the prior, was thus instituted. Id: and in 1456, John Peneher was instituted in the same manner. Id.

(*e*) Ib., 46. (*f*) Ib.. 15-89.

(*g*) Yet that right was not exercised without a dispute. Fordun, L. xi., c. 23. bestows a whole chapter, "quod Dunolmensis monachi non debent esse in Coldingham." The priors of Coldingham were mostly all Englishmen from the monks of Durham. In 1276, there was a pension of £108 10s. granted by Henry de Horncastle, the prior of Coldingham, to the prior of Durham; and that large annuity was not granted probably without a valuable consideration. Horncastle was thus probably grateful for his election. In the whole series of priors of Coldingham, there appear to have been only two or three Scotsmen.

(*h*) Chart. Colding. throughout.

(*i*) Ib.. 43. Roger, the bishop of St. Andrews, admitted Master Alan to the church of Ederham, on the presentation of the prior and convent of Durham. Id.

(*k*) There is a *monitio* or notice in 1446, of the sub-prior of Durham to the prior of Coldingham of the day when the prior would be elected. Chart. Colding., 50.

chapter of Durham (*l*). The prior of Durham had also the right of appointing the *sacrist* of Coldingham priory, who was generally chosen out of the monks of Durham, and who often rose to be priors of Coldingham. Such, then, was the anomalous nature of this most ancient priory of Berwickshire (*m*).

This monastery seems not to have suffered so much as those of Melrose and Kelso, though it lay full as near the hostile border, owing to its being the house of St. Cuthbert, and the cell of Durham. Such considerations, however, did not prevent King John, who was not studious of such pious motives, from giving it up to plunder, as he retired from Lothian in 1216, unappeased by slaughter, unsatiated with prey (*n*). Henry, the prior of Coldingham, swore fealty to Edward I. in June 1291 (*o*). In 1295, Edward I. gave the prior and monks his protection (*p*). In August 1296, Henry, the prior, with his convent, again swore fealty to Edward I. at Berwick (*q*), and received in return from him a protection for their property (*r*). Edward also confirmed to the monks of Coldingham the several charters of the Scottish kings (*s*). He confirmed to the prior and monks of Durham all the lands in Scotland which had been granted to them or to the monks of Coldingham (*t*).

Yet those various protections were not sufficient to ensure the safety of the prior and monks of Coldingham during such an age. Anthony Beck, as he owed no good will either to the prior of Durham or to the prior of Coldingham, solicited the pope to confer the priory of Coldingham on Hugh, the bishop of

(*l*) In 1460 there was a *procuratorium* of John Pencher, the prior of Coldingham, "ad annuale capitulum apud Dunelm." Ib., 64.

(*m*) There are several views of Coldingham Abbey in Cardonnel's Picturesque Antiquities. There is a view of the same church in Grose's Scots Antiq., 95; but the ruins, which are herein delineated, are obviously the remains of buildings subsequent to the reign of Edgar.

(*n*) Chron. Melrose, 190; Fordun, l. ix., c. 28. Lord Hailes makes him *burn* the monastery of Coldingham. An. i., 143. The priors were thus induced to obtain protections both from the Scottish and English kings. Henry VI. gave them a protection from the plunderers on both sides the borders. Chart. Colding., 38. Edward III. gave a charter of protection to the monastery of Coldingham. Dug. Monasticon, ii., 105.

(*o*) Prynne, iii., 508. (*p*) Ayloffe's Cal., iii. (*q*) Prynne, iii., 653.

(*r*) Ayloffe's Cal., iii. (*s*) Chart. Cold., 83.

(*t*) Ib., 91. He confirmed in 1305, a charter of Alexander II. granting them free warren and free forest in Coldinghamshire. Chart. Cold., 37. He granted them another charter in 1305, for holding a weekly market on Wednesday at Coldingham, and a yearly fair at the same place, beginning on the eve of St. Luke. Id. In 1436-7 Henry VI. granted his protection to the monks of Coldingham. Ayloffe's Calend., 276.

Biblis in Palestine, who had been deprived of his bishopric by the Saracens (*t*). Benedict XI., in 1304, complied with Beck's odious solicitations, by conferring that rich priory on the bishop of Biblis till he were better endowed. The pope's bull was laid before Edward I. in parliament in April 1305. But the estates refused to acknowledge what was equally unjust in itself, as inconsistent with the interest of the crown (*d*). Edward III. and Richard II. also extended their protection by various acts to the prior and monks of Coldingham (*x*). The Scottish kings, from Robert I. to James I., gave similar proofs of their inclination to support this favoured priory (*y*).

But charters are granted in vain when the law can no longer minister justice to the suitor, nor government give protection to the quiet. It was under the feebleness of the reign of Robert III., and the regency of the Duke of Albany, that the monks found it necessary to seek the defence of individuals rather than the shelter of the state. Then it was that the prior and convent of Coldingham thought fit to place their house and its revenues under the protection of Archibald the Earl of Douglas (*z*). This great person appointed Alexander, the laird of Home, *under keeper* of Coldingham, with a pension of twenty pounds Scots a-year (*a*); and he followed the fortunes of that famous commander till

(*t*) There is an instrument in the Chart. Coldingham, 79, which proves what Prynne was unconscious of, that Hugh, bishop of Durham, had been the insidious solicitor of that provision for the bishop of Biblis, which the English party rejected as unconstitutional.

(*u*) Prynne, iii., 1059 ; Ryley's Placita, 282.

(*x*) Edward III. gave them a writ of protection. Dug. Monast., ii. 1051. He issued a writ to the sheriff of Berwick in 1340, commanding him to restore the barony of Coldingham, with its pertinents, to the prior and convent of Durham. Chart. Colding., 38. In 1380, Richard I. granted a licence to the prior of Durham, "ad acceptand' cellam de Coldingham, de rege Scotiæ." Ib., 91.

(*y*) Robertson's Index, 154 ; Chart. Colding., 9-83.

(*z*) The Douglases, we may remember, first obtained property and influence in the shires of Roxburgh and Berwick, by the grants of Sir Robert Bruce to Sir James Douglas. William, the first Earl of Douglas, the son of Archibald, who fell at the battle of Halidon-hill in 1333, bore a decisive sway in the southern shires from 1342 to 1384. He was succeeded by his son James, the celebrated Douglas who overpowered the renowned Hotspur at the battle of Otterburn, in 1388. The estates and influence of his family were long enjoyed by his brother Archibald, who died in February 1400-1. Archibald the Grim was succeeded by his son Archibald, who rose to yet higher consequence. In 1401 he made the borderers feel his authority. He carried the Scottish auxiliaries to France, where he was created mareschal of her armies and Duke of Tourenne ; and he commanded at the battle of Vernueil, where he fell with many a Scotsman on the 17th of August, 1425. Such was the person to whom the prior of Coldingham delivered the protection of his house.

(*a*) Chart. Coldingham, 16. There are several *releases* of Alexander Home for his pension in the same chartulary.

he died with Douglas in the battle of Vernueil. Thus early commenced the connection of the Homes with Coldingham, which they never relinquished till it became their own. George Home, the third son of Alexander, was appointed bailiff of Coldingham in 1422 (*b*). William Douglas, the second earl of Angus of this name, became the protector of Coldingham when the Duke of Tourenne could not defend it by his name (*c*). In 1441, commenced a competition between Alexander the Laird of Home, and Sir David Home of Wedderburn, for the bailliery of Coldingham (*d*). Sir Alexander Home is said to have been appointed by the prior and convent, hereditary bailiff of Coldingham, in August 1465 (*e*).

In the meantime, Patrick Home and John Home, two canons of the church of Dunbar, intruded themselves into the monastery of Coldingham. They persevered almost twenty years in their intrusion, though the definitive sentence of Rome was enforced against them. Had this religious house been then protected by the Douglases instead of the Homes, they would have made the intruders pay, with the forfeit of their lives, for the pertinacity of their intermeddling *(f)*. The Homes were appalled but not discouraged, and they persevered in their interested purpose of obtaining this rich endowment of ancient piety to their private use.

Meantime, James I., from a liberality of spirit which was uncongenial to a corrupt age, founded a chapel royal in Stirling palace; and in order to support the dean and prebendaries, the cantors and other officers, he suppressed, by a regular process, the monastery of Coldingham, which he annexed

(*b*) Dougl. Peer., 343. On the 8th of June, 1504, an act passed annexing Coldingham to the crown. Unprinted Act of that date. On the 15th November, 1600, an act passed in favour of Lord Home, concerning the thirds of Coldingham. Unprinted Act of that date.

(*c*) There remains the "constitutio Willielmi de Douglas, comitis de Angus, in protectorem de Coldingham." in 1427. Ib., 59. James I. granted an inspeximus charter, "Super charta Roberti Regis de immunitate monachorum de Coldingham, tempore belli vel schismaticis." Ib., 33.

(*d*) There are many documents in the chartulary which exhibit this dispute. In 1442, a pension for life of £10 a year was settled on Alexander Home. Ib., 59. In 1449, this contest was ended by appointing David and Alexander Home to be joint bailiffs of Coldingham. Ib., 60. Meantime, John Wassington, the prior, exchanged with Sir Alexander and Sir David Home, Aldcambus for Houndwood, and for some lands in Coldingham. Ib., 29-59. Sir Alexander Home died in 1456. Dougl. Peer., 343; and he was succeeded by his son Alexander, who was soon after created Lord Home.

(*e*) Dougl. Peer., 343, who quotes a charter in the Public Archives.

(*f*) The chartulary of Coldingham from 1464 to 1472 is crowded with instruments on this vexatious intrusion.

to this favourite establishment. The parliament of 1485 passed an act annexing the priory of Coldingham to the chapel of Stirling (*g*). With the authority of parliament, the king sent envoys to Rome for obtaining the pope's assent. The Homes thus disappointed of their prey, were enraged against the well-meaning king; but were not frightened. They colleagued with the Hepburns of that vicinity to oppose this annexation. The parliament, in 1487, declared such an opposition to be high treason (*h*). Yet the Homes, as they knew that they would be supported by the Earl of Angus, continued to obstruct the king's measure for uniting Coldingham to Stirling. In 1487, the parliament appointed a committee, with the whole power of the legislature, to punish such violations of law (*i*); and the insidious earl with his factious adherents were appointed the chief members of this ominous committee. The pope, as he had been solicited by the king's ambassadors, suppressed the monastery of Coldingham in 1487, and appropriated one half of its revenues for supporting the chapel of Stirling (*k*). The appointment of that committee, and the consciousness of treason working on the heart of Angus, matured conspiracy into insurrection. Alexander, Lord Home, the hereditary bailiff of Coldingham, and Sir Patrick Hepburn of Hailes, the king's sheriff of Berwickshire, with all the Homes and all the Hepburns, who were already obnoxious to law, entered zealously into Angus's design of dethroning the king. Reconciliation was tried in vain on confirmed conspirators. The rebels met their sovereign near Stirling, on the 11th of June 1488, in a disastrous conflict, which left the king without a crown and without his life (*l*). Lord Home, the bailiff of Coldingham, did not long survive his triumph. His grandson, Alexander, who succeeded him in 1492, was on the accession of James IV. brought into the privy council; in 1488, he was made Lord Chamberlain for life; he was appointed warden of the east marches in 1489, and captain of Stirling castle, which gave him the command of the royal family; and he was afterwards made warden of the middle and west marches, which gave him the keys of the

(*g*) Glendook's Acts, 80; Acts, 1622, ed. 12°, 144. The most accurate of the printed acts mistakingly place this annexation of the estates in 1483, as Henry the historian intimates, and the Parl. Rec., 318, evinces.

(*h*) Black Acts, fol. 78; Parl. Rec., 323.

(*i*) Parl. Rec., 326.

(*k*) The bull of Innocent VIII. is in the Chart. Colding., 39; "ad supprimendum prioratum de Coldingham; ut ex ejus redditibus una medietas applicaretur ad sustentationem Capellæ Regiæ, altera ad erectionem ecclesiæ collegiatæ apud Coldingham." But those designs of the pope were frustrated by the ensuing rebellion and consequent assassination of the king.

(*l*) Pitscottie, 86-91.

kingdom. He was thus raised to so great a height as to enjoy a commanding sway during the reign of James IV. (*l*); and the baron who thus enjoyed so many benefits from his treason, we may easily presume possessed the priory of Coldingham as his own. Yet, neither parliament nor the pope's bull seems to have finally suppressed the priory of Coldingham. The overpowering influence of Lord Home, from 1488 till 1516, seems to have suspended its destiny. In 1509, however, it was by the pope's authority withdrawn from the church of Durham, and placed under the abbey of Dunfermline (*m*). James IV.'s natural son, Alexander Stewart, who was already archbishop of St. Andrews and abbot of Dunfermline, was now chosen prior of Coldingham (*n*). This spirited archbishop fell, in the act of fighting, by his father's side on Floddon-field. The priory of Coldingham was conferred, in 1514, on David Home, the seventh brother of Lord Home (*o*). The prior was involved in the fate of his family (*p*). He sought shelter in England during 1517 from the hatred of their foes. He returned, under the protection of the queen-mother, only to lose his life. He was murdered by James Hepburn of Hailes, and other assassins, who expected to please the regent Albany by avenging the assassination of De la Bastie (*q*). Robert Blackadder succeeded David Home in the priory of Coldingham and in his fate. He was soon after assassinated, with six of his domestics, in the village of Lamberton, by Sir David Home, the outlawed murderer of De la Bastie, with the help of other Homes who were fleshed in cruelty (*r*). Sir David Home was allowed to live

(*l*) Crawf. Officers of State, 323, in the article of Alexander, Lord Home.

(*m*) Innes's MS. Chron.; Royal Letters, i., 108. (*n*) Id.

(*o*) Andrew Foreman, the bishop of Moray, is said to have procured the priory for David Home, in return for which favour Lord Home supported the pretensions of Foreman to the archbishopric of St. Andrews. Bord. Hist., 499.

(*p*) He is said by Ridpath to have been forfeited by parliament, with Lord Home and his brother William. Ib., 502. This forfeiture was reversed in 1516. Ib., 505.

(*q*) Pitscottie, 238; Bord. Hist., 505. When the regent Arran marched into the Merse, in February 1518, to punish the assassins of de la Bastie, Sir David Home, who was outlawed by parliament for that odious deed, he is said to have searched diligently for the heir of Lord Hailes, that he might bring him to justice for the murder of David Home, the prior of Coldingham. Lesley, 389: Bord. Hist., 507. Sir David Home, who had married Alison, the sister of the Earl of Angus, and the widow of Blackadder of Blackadder, retired only from his castle, but not from Berwickshire.

(*r*) This assassination was committed on the 6th of October, 1519. Holinshed, 300; Bord. Hist., 508. Robert Home, the brother of Sir David, and one of the murderers of de la Bastie, married Margaret Blackadder. Robert and John Home claimed the estate of Blackadder, killing

after so many murders to commit other atrocities. With William Douglas, a brother of Angus, who intruded into the priory of Coldingham after the murder of Prior Blackadder, Sir David led a thousand horse to the aid of Angus in 1520, when he fought the Hamiltons in the streets of Edinburgh (*s*). William Douglas retained possession of Coldingham till his death in 1528, whatever efforts were made to expel him. When Angus was at length compelled to give way to the king's authority in August 1528, he fled to Tantallon castle, and soon after to Coldingham priory. The king followed him thither, when Angus retired, but it was only to make the king retire in his turn, and the Earl of Argyle was sent with some troops in November 1528, to Coldingham, who obliged the Douglases to flee into England for refuge.

After the death of the intrusive Douglas, Adam was created prior of Coldingham. He retained it during difficult times till 1541 (*t*). Adam was now removed to Dundrennan in order to make a vacancy for John Stewart, the natural son of James V., who was then an infant; and who was appointed commendator of Coldingham with the pope's consent (*u*). During the infancy of the prior, the king enjoyed the revenues, but he had to defend it. The English, in November 1544, seized the abbey, fortified the church and steeple, which resisted all the efforts of the regent Arran (*x*). The abbey was burnt in September 1545 by the Earl of Hertford, during his wasteful inroad for a conciliatory purpose (*y*). John Stewart, the prior, married Lady Jane Hepburn, the sister of the well-known Earl of Bothwell; and he died in 1563, leaving by her two sons, Francis and John, who did little honour to their family, or service to their country. After the bastard commendator's death, John Maitland was appointed his successor, and retained this rich endowment till he was appointed a senator of the College of Justice in 1568 (*z*). The priory was conferred by James VI. on Francis Stewart, the

every one who stood in their way. MS. Acco. of the family of Blackadder in my library. In 1526, during the domination of Angus, Blackadder, the archdeacon of Dunblane, and cousin of Blackadder, the murdered prior of Coldingham, though he had obtained a safe conduct from Angus, was assassinated at the gates of Edinburgh by the Homes and other followers of that potent Anarch. Godscroft, 251.

(*s*) Lesley, 394. Home and Douglas were summoned to answer in parliament during the year 1521; but they were summoned in vain.

(*t*) Sir George Douglas, the brother of Angus, led a party of English to Coldingham, in October, 1532, when he burnt the town.

(*u*) Border Hist., 542.

(*x*) Bord. Hist., 551.

(*y*) Holinshed, 969.

(*z*) Lord Hailes' Cat., 5.

former prior's eldest son; and the king, with his usual imprudence, created him Earl of Bothwell, abbot of Kelso, constable of Haddington, sheriff of Berwick, baillie of Lauderdale, high admiral of Scotland: and with these offices, gave this wretched character vast estates without any apparent motive. James VI. thus made many discontented and one ungrateful. This other Bothwell, after committing a thousand treasons, and giving his benefactor a million of vexations, was, in 1595, expelled a country which he had distracted by his turbulence, and disgraced by his crimes (*a*). After those singular events, James VI. found a new favourite in the Earl of Home, to whom he gave the whole estates of the dissolved priory of ancient Coldingham (*b*). On the earl's death in 1619, John, the second son of Francis, Earl Bothwell, was constituted commendator of Coldingham (*c*).

Such, then, is the history of the priory of Coldingham, which flings so much light on the bloody scenes of the Scottish history, and illustrates so clearly the odious manners of those wretched times (*d*). We may see much of the domestic economy of this religious house, even in the enumeration of its various officers. Next to the prior was the *sacrist*, and the first who appears in record was Gilbert de Shireburn in 1285 (*e*). The *eleemosinarius*, or almoner, was the next officer, and Alan is the first whom we see acting as *eleemosinarius* of Coldingham (*f*). There was a *marescallus*, who managed the horses of the

(*a*) He fled first to Caithness, then to France, and went afterwards to Spain and to Naples, where he died wretchedly about 1624. He left three sons and three daughters, who were restored to some of their father's estates and honours. Dougl. Peer., 86.

(*b*) Bord. Hist., 686; Dougl. Peer., 346.

(*c*) Dougl. Peer., 86. Spottiswoode says that *the last* who bore the title of *commendator of Coldingham* was John, the son of Earl Bothwell.

(*d*) At the epoch of the Reformation, the revenues of the priory of Coldingham were variously stated; but the following account from Lauchlan Shaw's MS. may be received as nearest the truth: Money, £818 10s. 9d.; wheat, 6 chalders, 7 bolls, 3 firlots, 2 pecks; bear, 19 chalders, 12 bolls, 1 firlot, 2 pecks; oats, 56 chalders, 8 bolls, 2 firlots; pease, 3 chalders, 13 bolls, 3 firlots, 2 pecks, with various *cain* fowls, etc., and services.

(*e*) Chart. Cold., 66. Robert de Kellau appears, though not without reproach, as *sacrist* in 1344. In April 1345, the bishop of Durham excommunicated Robert de Kellau, the sacrist, for having carried away seven and twenty pounds belonging to the cell of Coldingham. Ib., 55. John Fassour, the prior of Durham, sent letters of testimony upon the purgation of Robert de Kellau, the late sacrist. Ib., 58. In 1410, William Drax was sacrist, and became prior of Coldingham in 1419. Ib., 70. In 1439, there is a declaration of the right of the priory of Durham to elect *the sacrist* of Coldingham. Ib., 59.

(*f*) Ib., 25. Robert de Bowes was almoner in 1304. Ib., 66; and Richard de Cotesmore in 1308. Id.

prior (*g*). The prior had his *schenescallus* also, who managed much of the domestic affairs of the priory (*h*). There, moreover, belonged to this opulent house, the *hostellarius*, the *cellerarius*, the cook, the nuncius or messenger, the braciator or brewer, the carpenter, and the faber or smith (*i*). But the great officer of all those was the prior. The first who appears in record seems to have been Simon, who lived under David I. (*k*). Herbert succeeded Simon before the demise of David I. (*l*). Herbert had the honour to be one of those magnanimous ecclesiastics who maintained, against such a prince as Henry II., the independence of the Scotican church, after William the Lion had sacrificed the state to his own liberation (*m*). Herbert was succeeded by many priors who were less noted, as they probably had not so good an opportunity to distinguish themselves by their firmness and rectitude (*n*).

(*g*) Gregory *Marescallus* de Coldingham appears. Ib., 25; and Robert *Marescallus*. Ib., 27-30.

(*h*) In 1341, there was a composition between the prior and Adam de Prendergest, "ubi remittentur varii redditus cum *Paschwating*, assisis, etc., in diversis locis ad terminum 14 An. pro restitutione decimarum piscariæ de Twede, et pro executione *officii senescalli*." Ib., 73.

(*i*) Ib., 25, which seems to contain the establishment of the priory.

(*k*) Chart. Dunferm., 248.

(*l*) Ib., Chart. Cold., 85. He is mentioned by Hoveden, in 1175. (*m*) Rym., i., 39.

(*n*) Bertram was mentioned by Hoveden as prior in 1188, and he is noticed in 1193 by the Chart. Colding., 105. A. ——— was prior towards the conclusion of William's reign. Chart. Melrose, No. 7. G. was prior in 1212, and at the demise of William in 1214. Chart. Dunferm., 557; Chart. Cold., 61. Thomas Nisbet was prior from 1219 to 1239, and even beyond this year. Chart. Kelso, 225; Chart. Cold., 87. A. was prior under David, the bishop of St. Andrews, from 1233 to 1253. Chart. Cold., 110. Roger de Walveston was prior in 1273. Ib., 61. Henry de Horncastle was prior in 1276, and had the mortification to swear fealty to Edward I. in 1291 and 1296. Chart. Cold., 61; Prynne, iii., 508-653. William de Middleton seems to have ceased being prior in 1303, as in this year the prior of Durham made provision of meat and drink for the late prior. Chart. Cold., 57. Richard de Quickwood was prior in 1322. Ib., 73. Adam de Whiteworth was "custos prioratus de Coldingham." Robert I. granted a confirmation. "super carta de R. Whiteworth quondam custodis prioratus de 40 marcas sterl. pro provisione sua." Ib., 7. Adam de Pontefract was prior in 1326; received in 1328, with his brethren, absolution from Cardinal Guacelin, for celebrating divine service during the interdict, and continued prior in 1332. Ib., 73-5-167. Adam was succeeded by William de Scaccaro, who was excommunicated by the bishop of Durham in 1339. Ib., 54. William de Scaresburgh was prior in 1341; and in 1354, received from John, the prior of Durham, a provision as late prior of Coldingham. Ib., 58. He was succeeded, probably, by William de Bamburgh, who received from Landells, the bishop of St. Andrews, in 1362, a testimonial, as the prior had been accused of incontinence. Chart. Cold., 46. Robert Walworth was institnted by the same bishop in 1362. Ib., 46. Robert de Claxton was prior in 1375; and in 1379, when it was in contemplation to transfer the priory of Coldingham to the abbey of Dunfermline, Claxton was summoned, not only before the bishop of St. Andrews,

After this full detail of the troubled affairs of Coldingham,* let us now advert to the abbey of Dryburgh, which was founded by David I. in 1150 (*o*). Morville, the constable, and his wife, Beatrice de Bellocampo, were very liberal benefactors to this establishment, though they were not the founders. There were other benefactors of almost equal liberality, and David I. confirmed all those benefactions with a beneficent spirit (*p*). Hugh Morville

but was accused of treason before the three estates. Ib., 63: Fordun. l. xi., c. 23. Michael was prior in 1380. Chart. Dunferm., 597. John de Akecliff [Oakclif] became prior about the year 1407, and long continued. He had a contest for the priory with Richard Mongal, a monk of Dunfermline. Fordun, xi., c. 123; and it was Akeclif who put the priory of Coldingham under the protection of Archibald, the Earl of Douglas. Chart. Colding., 16, 147. William Drax, who had been sacrist of this house, was instituted to the priory in 1419, by Bishop Wardlaw. Ib., 47. He had a long contest with William Brown and other monks of Dunfermline. Ford., xi., c. 23-4. The Duke of Albany gave him admission to the temporalities. Id. He was succeeded in 1441 by John Olle, who was instituted by bishop Kennedy, and admitted to the temporalities by James II. He also had a long contest with the monks of Dunfermline, and ceased to be prior in 1449. John Pencher, who succeeded him, was also instituted by bishop Kennedy, and admitted to the temporalities by James II.; and he had to sustain a most pertinacious contest with Patrick and John Home, who were excommunicated for their intrusion into this priory. Pencher resigned the priory in 1469 to John Wren, who seems to have at length expelled those persevering intruders, but not till he had obtained against them the bull of Sixtus IV. and the precepts of Edward IV. and James II. Id. After thus conquering the two Homes, Thomas Wren continued prior even nearly to the epoch of the annexation of the priory of Coldingham to the chapel of Stirling, in February 1483-4, an event which was attended with such mighty consequences. *[See also Raine's History of North Durham, 1852; Hunter's Priory of Coldingham, 1858; Billing's Baronial Antiquities, vol. i.]

(*o*) "A° 1150. Ordo Præmonstratensis venit ad Drueburch: A° 1152s conventus venit ad Drieburc et Rogerus foctus est abbas primus." Chron. Melrose, 167. David I., in the charter which he granted to the church of St. Mary at Dryburgh, says that he had founded it "quam fundavi." Yet Hugh Morville has commonly been deemed the founder, for the chronicle of Melrose says, "A° 1162. Obiit Hugo de Morville *fundator ecclesiæ de Drieburg;*" but this chronicler is not so good a witness as David I. himself, whose foundation charter remains. By this he gave the canons the church of Dryburgh, with the chapels, tithes, and pertinents belonging to it; the church of Lanark, with its pertinents; the church of Pendinane, with its pertinents; a carucate of land in the same manor, free from secular exaction; the lands of Cadesley in Lauderdale, with pasture within his forest; a mansion, with three rods of land, in his burgh of Crail. He gave them also license to take from his forest wood for building and other necessary purposes: and he gave those canons exemption from toll, and secular exactions, throughout his realm. Chart. Dryburgh., 157.

(*p*) By other charters, David I. conferred on the canons of Dryburgh some additional lands; and he confirmed the donations of others. Ib., No. 29. On the lands of Cadesley, the canons established a grange, which David confirmed to them. Ib., 75. He confirmed to them the several grants of Hugh Morville, and Beatrice de Bellocampo. Ib., 109-175. Earl Henry, the son of David, confirmed the grants of Morville and his wife. Ib., No. 9-109; and he gave them a toft without the walls of Roxburgh. Id., 110. After Earl Henry's death, his Countess Ada gave the

conferred on those canons Childenkirc [Channelkirk] with its pertinents; the church of Saltonn with its pertinents, and a carucate of land in Saltoun; and he gave them the tenth of the multure of the mills of Lauder, of Saltoun, of Newtown, with half a carucate of land in Newtown, and common of pasture for nine oxen and one horse (*q*). His wife gave to those canons the church of Boysete in Northamptonshire (*r*); and she purchased for them a piece of land at Roxburgh (*s*). From Ada, the daughter of Hugh Morville, they also obtained some lands in Roxburgh, and Richard, the son of Hugh Morville, confirmed all those grants of his father, of his mother, and his sister (*t*). The vassals of the Morvilles, and of the Lords of Galloway, who succeded them, appear to have emulated their superiors in pious donations to the Dryburgh canons (*u*). John de Baliol, and Roger de Quincy, who acquired Lauderdale

same canons the church of Kilrenny in Fife, with a carucate of land in Pitcorthy, and a toft in her burgh of Crail. Ib., No. 10. Malcolm IV. confirmed all those donations, and he gave them two and a half marks yearly from a carucate of land in Ednam. Ib., 1, 121, 176. His brother, William the Lion, followed his example, confirming all those grants, and giving those canons the lands of Nemfelare and Cartland in Lanark parish, and the lands of Inganstoun in Dolphington parish, with crofts and common of pasture in the same manner; and he gave them, moreover, twenty shillings yearly out of the firm of his burgh of Roxburgh. Chart. Dryb., No. 10, 32, 176, 33, 122. Alexander II. confirmed all those grants. Ib., 176. Alexander II. also granted to William Giles, a canon of Dryburgh, the lands of Mosplet in Clydesdale, which the grantee gave to his monastery. Ib., 163. From David II. those canons obtained the advowson of the church of the Virgin, in Ettrick forest. Robertson's Index, 59.

(*q*) Chart. Dryb., No. 1-151. (*r*) Ib., 65.

(*s*) Ib., 108. This is the parish church of Bosyete, in Higham hundred. The abbot of Dryburgh resigned this distant patronage to the convent of St. James, near Northampton, for three and a half marks a year. This resignation was confirmed by Richard Morville, and this annuity was finally assigned to St. Andrew's convent, in Northampton. Bridges' Northampton, ii., 161.

(*t*) Ib., 64.

(*u*) Thomas de Thirlestane granted those canons the tenth of the multure of his mill of Thirlestane. Ch. Dryb., 93. His successor, Richard de Mauteland, gave them the lands of Haubenthonside in Thirlestane, with the lands of Snawdon in the same district, with pasture for 40 ewes, 60 cows, and twenty mares, with their progeny of three years. Ib., 88, 89. Peter de Haig of Bemerside gave those canons two bovates of land, a messuage and a garden, with pasture for three cows and twenty ewes in Bemerside; and he also gave them the forest of Flatwode, according to limits described. Ib., 97-8. Sir Radulph de Campania granted those canons the church of Borgues, in Galloway, for the salvation of his lord, Alan of Galloway. Ib., 44. Robert de Vetereponte gave them the right of patronage to the church of Soreby, in Galloway, and he gave them the lands of Little Soreby in pure alms. Ib., 50-52; and those grants were confirmed by his lord, Rolland of Galloway. Ib., 55; and they were confirmed by the bishop of Candida Casa. Ib., 56-8. Gilbert

by marrying one of the two daughters of Alan of Galloway, confirmed the donations of their predecessors, and added their own (*x*). The Earls of Dunbar also showed their liberality to the canons of Dryburgh, though not to the same extent, as to the priory of Coldingham (*y*). Some of the vassals of this family in the west of Berwickshire were benefactors to Dryburgh (*z*). The Stewarts of Scotland were also beneficent donors to Dryburgh; Walter the son of Alan, the Scottish founder of this great house, gave those canons the lands of Herdsley, near their grange of Cadisley (*a*); and his direct descendant, Walter the Stewart, who married Margery Bruce, gave them the patronage of the church of Maxton in Roxburghshire, with its pertinents, and five acres of arable land contiguous to the church-land (*b*). From other persons of less note the canons of Dryburgh obtained donations of lands, houses, rents, churches, in Berwickshire, Roxburghshire, in Lothian, and in Fife (*c*).

of that see annexed to Dryburgh the churches of Great and Little Soreby. Ib., 60. Alexander now granted those canons the lands of Giffyn, and this grant was confirmed by his lord, Alan of Galloway. Ib., 168.

(*x*) Roger de Quincy gave the canons of Dryburgh the right of fishing in the lake of Mer-ton. Ib., 104; and he gave them a toft in the town of Haddington. Ib., 106. John Baliol and his wife, the munificent Dervorgill, resigned to those canons the church of Lauder, with the chapelry and their pertinents. Ib., 6-7. Alexander de Baliol gave those canons one half of the wood of Gledeswode, which had been given to him by John Baliol and the illustrious Dervorgill. Ib., 100-1-2.

(*y*) Earl Patrick, who lived under William the Lion, gave those canons his lands of Evinsley and two bovates of land in Ercildoun, with a toft and pasture for 100 sheep, 12 oxen, 12 swine, and two horses. Ib., 82. He also gave them a toft in his burgh of Dunbar, with a house and two acres and a half of land. Ib., 86; and he conferred on them a mark of silver yearly from the firm of Birkinside, towards building and upholding their church. Ib., 84.

(*z*) William de Lindsay gave the canons the lands of Sarcum Albani, near Cadisley. Ib., 76. He gave them two bovates of land in Ercildoun. Ib., 83; and he added some houses in Berwick. Ib., 115. From Alexander de Purvays of Ercildoun they obtained a messuage with a husband-land in Ercildoun. Ib., 195. Ada de Fawns granted them a *peatary* in the territory of Fawns. Ib., 145.

(*a*) Ib., 78. (*b*) Ib., 186.

(*c*) Alexander de St. Martin gave those canons the lands of Langlaw, which he had obtained from the Countess Ada. Ib., 66; and this grant was confirmed by Sir Adam Gordon, who gave them a *peatary* in Fawns. Ib., 146. Robert de Loudon granted them the patronage of the church of Lessudden in Roxburghshire. Ib., 39. Another Robert de Loudon, the natural son of William the Lion, gave them the rent of his house in Lessudden and a toft, being three shillings, and a pound of pepper yearly. Ib., 42. Galfrid de Percy gave them two bovates of land in Heton. Ib., 166. David de Olifard gave them a carucate of land in Smailholm, with pasture for 300 sheep. Ib., 117. Walter de Moravia afterward exempted them from multure at the mill of Smailholm. Ib., 119. William de Vallibus gave them the patronage of the church of Golyn with its pertinents,

Thus did the canons of Dryburgh acquire numerous possessions, which, being much dispersed in many places, were less advantageous than the compact estates of Coldingham, which lay all in Berwickshire. The churches of Dryburgh and other ecclesiastical dues, were, in this manner, placed under the several jurisdictions of the bishops of St. Andrews, Glasgow, and of Whithorn. The monastery, indeed, and the greatest part of their property, lay in the diocese of St. Andrews. Soon after its foundation, Robert, the liberal bishop of that see, extended his benificence to the canons of Dryburgh, by confirming their foundation charter with their various endowments, and by receiving them under the benediction of St. Andrew (*a*). From his successors they obtained confirmations of their rights and grants of additional privileges (*b*). In 1293 William de Lamberton freed the abbots of Dryburgh from attending the synodal meetings at Haddington (*c*). From the bishops of Glasgow and Whithorn, the abbots of Dryburgh obtained similar confirmations of their various rights with grants of new privileges (*d*). From the popes also the canons obtained many favourable bulls (*e*). During the thirteenth century the monastery of Dryburgh sent off two colonies of monks to Ireland, one of which was planted in the abbey of Drumcross, the other in the priory of Woodborn, in the County of Antrim (*f*). William, the abbot of Dryburgh, with his monks, swore fealty to Edward I. on the 24th of August, 1296 (*g*); and in return, Edward issued

and the meadow which was adjacent to the church. Ib., 26. He gave them also twenty acres of land in Elbotle ; Ib., 70, and he conferred on them one pound of frakincense yearly. Ib., 22. This grant was confirmed by his son, John de Vallibus, who gave them in addition two crofts in Golyn. Ib., 25. He added the lands of Stotfold, and the island of St. Nicholas of Elbotle, and a stone of wax yearly. Ib., 18, 23, 71. William de Vallibus gave them Stainacre, and two acres of land in Elbotle near the old castle. Ib., 72. Sir William Abernethy gave them a messuage with a brewhouse in the village of Saltoun, and two marks yearly, for their lights in celebrating the masses of St. Mary in the church of Dryburgh. Ib., 191-132. Margaret of Ardross, the daughter of Marleswane, gave them the lands of Invergelly in Fife. Ib., 13. Henry de Anstruther conferred on them a messuage, with a garden and an acre of land, in his town of Anstruther, with three booths in the same place. Ib. 15-190.

(*a*) Chart. Dryburgh, No. 8. (*b*) Ib., 12-16-100-104.

(*c*) Ib., 177. If at any time the abbots of Dryburgh should come to those meetings on urgent business, the bishop conferred on the abbot a perpetual pension of four marks, to be paid by the dean of Haddington. Id.

(*d*) Ib., throughout.

(*e*) Ib., 12-16-74-97. Owing to all those encouragements, they established a new cemetery in September, 1208. "Novem cemeterium de Driburg dedicata est a Willielmo episcopo St. Andreæ. Chron. Melrose.

(*f*) Ware. Archdall's Monast. Hib., 6-7. (*g*) Prynne, iii., 653.

writs to the sheriffs of Berwick, Roxburgh, Edinburgh, and of Fife, to restore their property (*h*). On the accession of Bruce, he issued a precept to his Chamberlain, commanding him to pay twenty shillings yearly out of the firms of Roxburgh to the canons of Dryburgh (*i*). They could not escape the sad effects of the long contests between the neighbour nations. In 1322 the English army, under Edward II., on their retreat from Lothian, burnt the monastery of Dryburgh (*k*). In 1373 Edward III. granted a protection to the abbots of Dryburgh, Melrose, Kelso, and Jedburgh (*l*). The English king thus endeavoured to protect those religious establishments from the excursions of the English garrison in Roxburgh castle, which they still retained. Robert III., at his accession, with the consent of the bishop of St. Andrews, suppressed the convent of Cistercian nuns in South Berwick, and gave their whole property to the canons of Dryburgh (*m*). These nuns were opulent, and this circumstance may have been their fault as much as their incontinence (*n*). The hospital of Trefountain in the Lammermuir, was granted to the canons of Dryburgh in 1436, by John abbot of Alnwick, and confirmed by Henry, the bishop of St. Andrews (*o*). Nothing, however, could protect them from the unfeeling policy of Edward VI.'s ministers. In 1544 the market town of Dryburgh was all burnt, except the church, by the English army under Sir George Bowes (*p*). In the subsequent year the monasteries of Dryburgh, Melrose, Kelso, and Jedburgh, were plundered and burnt by the obdurate fanaticism of the Earl of Hertford (*q*). The Reformation decided its fate (*r*). In 1587 the abbey of Dryburgh became

(*h*) Rym., ii., 723. Edward issued a writ to John Sandal, his chamberlain for Scotland, to pay the monks of Dryburgh 20s. yearly from the burgh of Roxburgh, and all other alms which should appear to be due to them from the charters of the kings of Scotland, or from the accounts of the late chamberlains. Chart. Dryb., 178. John Sandal, in January 1306, accordingly issued a precept for the payment of those several dues. Ib., 179.

(*i*) Ib., 192; and Alexander Fraser, the chamberlain, issued his precept to the alderman and baillies of the borough of Roxburgh, to pay those 20s. yearly from the firm of Roxburgh, in conformity to the charter of William. Ib., 193.

(*k*) Fordun., l. xii., c. 4; Hearne's Ford., 1012. (*l*) Ayloffe's Cal., 237.

(*m*) MS. Charter. This grant was confirmed by Henry, the bishop of St. Andrews, the ordinary, on the 8th of May 1410: and by James I. on the 30th of May 1424.

(*n*) There remains an inquest in 1305 of their property in Berwick, which consisted of many houses: and they had 40 marks out of the firm of the town, under grants from the Scottish kings.

(*o*) Sir Lewis Steuart's Col., No. 11, 33. (*p*) Bord Hist., 551. (*q*) Ib., 554.

(*r*) At that epoch, the revenue of the abbey of Dryburgh may be estimated from Lauchlan Shaw's MS. state; as under:—Money, £913 19s. 1d.; wheat, 1 chalder, 14 bolls, 3 firlots, 3 pecks; beer, 24 chalders, 7 bolls, 3 firlots, and 3 pecks; oats, 3 chalders, 15 bolls, 1 firlot; meal, 22 chalders, 15 bolls, 3 firlots, 3 pecks; with smaller articles and some services.

invested in the crown by the general annexation (*s*). John, Earl of Mar, the treasurer of Scotland, seems to have early cast his wishful eyes on the abbey of Dryburgh (*t*). Henry Erskine, his second son, was appointed its commendator. It was afterward disannexed from the crown by act of parliament; when it was granted to Henry Erskine, his second son, for ever, who became Lord Cardross; and whose great-grandson succeeded as Earl of Buchan in 1695 (*u*).

In Berwickshire, there appear to have been of old four Bernardin or Cistercian nunneries. (1.) The earliest seems to have been a convent of Cistercian nuns, which David I. founded in Berwick-town, with rich endowments. Other persons followed his example by their well-meaning liberalities. In the 13th century, the prioress made a composition with the prior of Coldingham for the tithes of three *culturas* of land, which were called Maryflat, Frereflat, and Latham, in the neighbouring parish of Bondington, whose church belonged to his priory (*x*). The prioress made a composition with the rector of the church of Golyn as to their several dues (*y*). The prioress and master of this house resigned all their rights in this church to the monks of Dryburgh (*z*). In 1291 and 1296, Agnes de Beringham, the prioress of this convent, swore fealty to Edward I., who gave her in return his protection (*a*). In 1391, Robert III.

(*s*) The abbot of Dryburgh, who was of the Earl of Mar's family, contributed to those events. Spots. Hist., 283. On the 23rd of August, 1582, the abbot of Dryburgh was one of the principal persons who, by an act of treasonous insurrection, seized the king's person at Ruthven. Ib., 320. In 1585, the abbot of Dryburgh, the Earl of Mar, and others fled into Ireland. Ib., 329. In 1584, David Home of Argaty, a retainer of the Earl of Mar, and Patrick, his brother, were condemned and executed for corresponding with the commendator of Dryburgh. Ib., 337. Yet in July 1585, the same commendator sat in the convention at St. Andrews, which approved of a protestant league. Ib., 340.

(*t*) In 1541, James Stewart, the abbot, was succeeded by Thomas Erskine, who was followed in this abbacy by David Erskine, the natural son of Robert Erskine, who fell on Pinkie field. Innes's MS. Collections.

(*u*) Crawfurd's Peer., 64; Dougl. Peer., 97. The chartulary of Dryburgh, which is in the Advocate's Library, Edinburgh, contains many curious particulars of church history, as well as many notices of contemporary manners. The ruins of Dryburgh Abbey have been often drawn, engraved, and published. Slezer, pl. 32-3; Cardonnel, pl. 3; Grose, pl. 11; Pennant, ii. 36. [See also Liber S. Marie de Dryburgh (Bann. Club), 1847; Billing's Baronial Antiquities; Morton's Monastic Antiquities of Teviotdale; Dryburgh Abbey, its Monks and its Lords, 1864.]

(*x*) Chart. Cold., 72. Latham is still known as a hamlet within Berwick bounds; Frereflat is now called Fernieflat, within the same bounds; but the name of Maryflat is now unknown.

(*y*) Chart. Dryb., 28.

(*z*) Ib., 27. Gregorius the *magister*, and Frælina the prioress, made that resignation. Id.

(*a*) Prynne, iii., 508, 655; Ayloffe's Cal., 108. The whole property of this monastery within the town of Berwick, amounted in 1296 to £47, as appears by an inquest. In that age this was a large

granted the whole revenues of this convent to the monks of Dryburgh, as we have seen, though the town of Berwick then belonged to England. (2.) Coldstream on the Tweed had a convent of Cistercian nuns, founded by Cospatrick, the last of this name, Earl of Dunbar, and Derder, his countess. The nuns were brought from the Cistercian convent at Withow in England. This foundation was probably made, soon after the end of David I.'s pious reign ; as the last Cospatrick succeeded his father as Earl of Dunbar, in 1147, and died in 1166 (*b*). This convent was dedicated to the Virgin Mary ; and was endowed by its founders and by other favourers of the monastic orders, so liberally, as to be one of the richest monasteries in Scotland (*c*). The prioress of Coldstream no doubt submitted to Edward I. ; as in 1297 he gave her a writ of protection for her person, her nuns, and her estates (*d*). After the battle of Halidonhill in 1333, the prioress, with the *master* of Coldstream, submitted to the conqueror, and was received into his protection (*e*). In 1419, John de Wessington, the prior of Durham, confirmed the lands of Little Swinton to the nuns of Coldstream. In the same year, Prior John entered into a convention with Marion, the prioress of Coldstream, about the lands, tithes,

revenue. There was a house of White friars, or *Carmelites*, founded in Berwick, 1270, by Sir John Grey, whose duty it was to officiate in the chapel royal within Berwick castle. Wallis's Northumb., ii., 95. There was a house dedicated to the *Holy Trinity* at Berwick-bridge, whose duty it was to pray for the passengers, and to profit from their safety. Id. There was also a house of *Grey* friars here. Ib., 96. There was a house of preaching friars here, which seems to have been decayed before 1291 ; and there was a hospital at Berwick, which was dedicated to *Mary Magdalen*, with an appendant hermitage at Sogden; and there is a field between Berwick walls and the sea which is still called *Maudlinfield*, from its being the ancient site of this hospital. Id.

(*b*) Chron. Melrose.

(*c*) Gospatrick granted to the monastery of Coldstream the church of Laynel, with its pertinents, with a carucate of land, one half of it in Laynel and the other half in Birgham. He also confirmed to those nuns the church of Hirsel, with a carucate of land in the same parish, which Derder, his countess, had granted them. Dougl. Peer., 438, who quotes the chartulary of Coldstream, which he seems to have seen. The grants of Cospatrick and his worthy countess were confirmed by Waldeve, their son, who succeeded his father in 1166, and died in 1182. Chron. Melrose. The intimation of Dugdale, that this nunnery was founded by Earl Patrick and *Agatha*, his spouse, is quite erroneous. Monast., ii., 1057. At its suppression its revenues consisted only of money, £201 ; of wheat, 3 chalders, 11 bolls, 3 firlots ; of bear, 3 chalders, 12 bolls, 1 firlot, 1 peck. MS. Shaw.

(*d*) Her submission is not, indeed, recorded either in Rymer or in Prynne, but her writ of protection is mentioned in Ayloffe's Calend., 113.

(*e*) Rym., iv., 570. The *magister* of this convent is specially mentioned as part of this establishment, as well as of that in Berwick town.

and services of Little Swinton (*f*). When Margaret, the queen mother, with her husband Angus, fled from the regent Albany in 1515, the monastery of Coldstream furnished them a sure sanctuary till they were kindly received into England (*g*). During the subsequent war in October, 1523, the prioress of Coldstream acted as a spy to the English general (*h*). In 1528 James V. gave to Isobel Hope-Pringle, the prioress of Coldstream, the lands of Hirsel and Graden, with their fishings on the Tweed. Margaret, on that occasion, willingly consented to relinquish her dower in favour of her sanctuary (*i*). The time came at length when all religious establishments were to be annexed to the crown, and seized by the nobles. James VI. granted the whole possessions of the monastery of Coldstream to Sir John Hamilton of Trebroun, the third son of the first Earl of Haddington (*k*). (3.) The munificent Cospatrick, who founded Coldstream, planted a colony of Cistercian nuns at Eccles in 1156, where he endowed a convent, which he consecrated to the Virgin Mary (*l*). Patrick, the Earl of Dunbar, who succeeded Waldeve in 1182, died, satiated with a long and worthy life in 1232, and was buried among the nuns in their appropriate church (*m*). The nuns of Eccles were at length doomed to feel the sad effects of the disastrous events of the Scottish annals. In 1294-5 Edward I. granted them a protection (*n*). In 1296, when the bravest men of Scotland

(*f*) Chart. Cold., 92 and 74. In December 1491, a truce with England was concluded at Coldstream. Bord. Hist., 460.

(*g*) Border Hist., 501.

(*h*) Pink. Hist., ii., 225, who has confounded Coldingham with Coldstream.

(*i*) Spottiswoode, 513.

(*k*) Milne's Melrose, 33. In 1621, the nunnery of Coldstream was disannexed from the crown in favour of Sir Thomas Hamilton of Trebroun. Private Act of that year.

(*l*) "A° 1156, conventus sancti monialium secundo venit ad Eccles." Chron Melrose; so Hoveden, 491; but the book of Cooper states this event in 1155. In addition to the lands and revenues which Cospatrick settled on this convent, he gave the nuns the church of St. Cuthbert, of Eccles, with its pertinents, and with the chapels of Birgham, of Mersington, and of Letham, which depended on it as the mother church; and all those grants were confirmed by his successors and by the bishops of St. Andrews. Regr. of St. Andrews, No. 56-60. About the same time, the nuns acquired the lands of Huntrodes. In the reign of Malcolm IV., Thomas de Lesedwin granted to the canons of Dryburgh half a mark yearly, which was payable by the prioress of Eccles, out of the lands of Huntrodes. Chart. Dryburgh, 144. The nuns also possessed in the north-eastern parts of Eccles parish some lands, which had obtained from them the appropriate name of *Nun-lands*; and this continues the name of a hamlet.

(*m*) Chron. Melrose, 201, which states the singular manner of his retirement from a tempestuous world.

(*n*) Ayloffe's Calend., iii.

subnitted to that overpowering prince, Ada de Fraser, the prioress, with her convent, swore fealty to Edward I., who in consequence ordered their estates to be returned to them (*o*). Edward II. granted them his protection in 1316-17 (*p*). After the fatal conflict of Halidonhill in 1333, the prioress and her nuns found it again necessary to submit to the conqueror; and Edward III. gave them a protection for their house, their people, their lands, and their revenues (*q*). In 1523 the chiefs of this nunnery acted the unworthy part of spies for the Earl of Surrey, by informing the English general of the preparations of the regent Albany for the invasion of England (*r*). Albany was thus obliged to raise the siege of Wark, and to retreat across the Tweed to Eccles; and being here falsely informed of the approach of the English army, he decamped at midnight and hastened to Lauder (*s*). In 1544, the prioress and her nuns were involved in the terrible effects of Edward VI.'s courtship of Mary Stewart. On the 27th of September 1544, the English won the church of Eccles by assault, when they slew, within the Abbey and town, eighty persons, and burnt the abbey and spoiled the village (*t*). In September 1545, the abbey and town of Eccles were again plundered and burnt by the unfeeling Hertford (*u*). Marion Hamilton, the prioress, conveyed to Alexander Hamilton, her relation, the village and lands of Eccles; and this unworthy transfer was confirmed by Mary Stewart on the 11th of May, 1567 (*x*). James VI. conferred the estates of this convent on Sir George Home, who was created Lord Home of Berwick, on the 7th of July 1604, and Earl of Dunbar in March 1605 (*y*); and he died in 1611, leaving two daughters, the eldest of whom, Anne, marrying Sir James Home of Coldingknows, was, by him, the mother of James, the third Earl of Home, who probably inherited the estates of the nunnery of Eccles. (4). Ada, the liberal daughter of William the Lion, who married Patrick, the Earl of Dunbar, in 1184, founded at St. Bathan's church in Lammermuir, a convent for Cistercian nuns (*z*). Ada and Patrick

(*o*) Prynne, iii., 659; Rym., ii., 723. (*p*) Ayloffe's Calend., 132. (*q*) Rym., iv., 570.
(*r*) Pink. Hist. Scot., ii., 225. (*s*) Ib., 230; Bord. Hist., 518.
(*t*) Bord. Hist., 550. from Haynes's State Papers. (*u*) Ib., 554.
(*x*) Spottiswoode, 513, who quotes the Public Rec. Lib. 21, No. 537.
(*y*) Spottiswoode, 513. On this event Douglas is silent. Peerage, 202. At the Parliament of 1606, there passed "a ratification to the Earl of Dunbar of the earldom of Dunbar and *other* "*lands.*" Private Act, No. 4. Lauchlan Shaw's MS. Acco. states the revenue of this monastery at £647 13s. 8d.
(*z*) Those nuns were transplanted from the convent of the same order, which had been founded by David I. at Berwick. Hence Spottiswoode was induced to state, "that the convent of

made an adequate endowment of lands and revenues to the convent of St. Bothans, which received many donations from other benefactors; but this nunnery never became so opulent as those of Coldstream or Eccles (*z*). The nuns of St. Bothans appear to have had a *grange* at some distance from their convent, and in the 13th century, they made an agreement with the prior of Coldingham, to pay him twelve pennies, or a pound of pepper yearly, for their tithes of hay from a meadow at Bylie (*a*). Ada, the prioress, and the nuns of St. Bothans, swore fealty to Edward I., on the 24th of August 1296; and were thereupon restored by him to their lands and rights (*b*). After the decisive battle of Halidonhill, in 1333, the prioress and her nuns submitted to the victor, and obtained from him, in 1334, a protection for themselves, their house, and their revenues (*c*). Their situation within the recesses of Lammermuir, protected them, in after times, during more furious conflicts, political, religious, and amatory. It is not easy to discover on whom King James's profuse hand conferred the possessions of the nuns of St. Bothans (*d*). Between the church and the river Whitadder, are even now the remains of the ancient nunnery, which are almost totally demolished; the stones having been appropriated for agricultural improvements (*e*). There was founded of old, within Berwick bounds, at *Halystan*, near the ill-omened Halidonhill, a convent, which was dedicated to St. Leonard, for Cistercian nuns. In August 1296, Marjorie, the prioress of Halystan, *del counte de Berwick*, swore fealty to

"St. Bothan is said to heve been a cell depending on South Berwick." Hope's Min. Pract., 512. Dugdale mistakes the name of the worthy countess, the founder, calling her *Eufemia*. Monast., ii., 1057.

(*z*) There was already here, as we have seen, a church, which had been dedicated to St. Bothan in early times, and this church was probably now given, according to the customs on such occasions, to the countess Ada's nuns. St. Bothan is recorded in the Aberdeen Breviary as a bishop, whose festival was celebrated on the 18th of January. Dempster's Menologia. The parish church of Yester, in East Lothian, was also dedicated to St. Bothan, whose name was given both to the church and parish.

(*a*) Chart. Colding., 24. The *Bylie* of that age is now *Billie*, in the parish of Bunkle, and is more than six miles from the convent of St. Bothans.

(*b*) Prynne, iii., 653; Rym., ii. 725. (*c*) Ayloffe's Calend., 147.

(*d*) The revenue of the monastery of St. Bothans is stated in Lauch. Shaw's MS. thus: Money, £47 2s. 4d.; wheat, 2 chalders, 1 firlot; bear, 3 chalders, 8 bolls, 2 firlots, 3 pecks; oats, 7 chalders, 9 bolls; pease, 12 bolls. The establishment of St. Bothans has sometimes been confounded with the monastery of Trefontain in Lammermuir. Spottiswoode, 512.

(*e*) Stat. Acco., xii., 64.

Edward I., who thereupon granted protection to her and her convent (*f*). The battle of Halidonhill was fought near *Halystan*, on the 28th of July 1333. Edward III. now showed his gratitude to the prioress and nuns, who had been ruined by the war; and who, no doubt, contributed to his victory. He ordered their convent and houses to be rebuilt at his own expense; he directed an altar to be erected in their church in honour of St. Margaret, on the eve of whose festival he had gained so decisive a victory; he appointed services to be performed annually, on the eve, and festival of St. Margaret, for ever, at his own charges (*g*). As this establishment thus lay within Berwick-bounds, at the noted epoch of the annexation of religious houses, King James's courtiers could not partake of the plunder of *Halystan;* which, may, indeed, have already fallen into the impure hands of Henry VIII.

Of *friars*, there were no fewer than four convents, as we have seen, in the town of Berwick. There was a house of Franciscan or Grey Friars, who were of the order of minorites, who were introduced into Scotland in 1219. The minorites, with their warden, swore fealty to Edward I., in 1296, and were protected by him (*h*). They submitted equally to Edward III., after the battle of Halidonhill, in 1333; and seem to have been patronized by him during his reign, while the other orders were removed, and English friars placed in their convents (*i*). In 1230, Alexander II. founded in Berwick a convent of his favourite Dominican or Black Friars, who were called *Fratres Prædicatores.* He endowed them with a revenue of forty marks out of his firms of Berwick; and this endowment was confirmed by Robert Bruce, who added an annual rent out of a mill at Berwick (*k*). In 1291, various persons swore fealty to Edward I. in the deserted church of those brethren (*l*). They submitted to Edward, and were protected by him (*m*). In 1333, when Edward III. entered Berwick as a conqueror, he removed those preaching friars, and placed English friars of the same order in their room; and to them he was studious to give protection during his lengthened reign (*n*). A convent of *Red* or

(*f*) Prynne, iii., 663. There was another convent at Halystan, on the Coquet, in Northumberland. Wallis, ii., 512. We may see, in Ayloffe's Calend.. 3, the protection granted to Marjorie and her nuns was to the prioress and convent of Leonard, *extra Berwick.*

(*g*) Rym., iv., 571. He continued, as we may learn from Rymer, through his whole reign to make beneficent grants to the prioress and nuns of Halystan, *extra* Berwick.

(*h*) Ayloffe's Calend., 115. (*i*) Ib., 145. (*k*) Robertson's Index. 23.

(*l*) Rym., ii., 572. But Edward did not here hold his parliament, as Spottiswoode intimates; and he held his parliament and gave his decree in favour of Baliol within the hall of the castle of Berwick. Ib., 588.

(*m*) Ayloffe's Calend., 113. (*n*) Ib., 153-193.

Trinity Friars, was founded in Berwick by William the Lion, who also erected a house of Carmelites at Aberdeen. In 1267 those friars entered into an agreement with the prior of Coldingham, about building an oratory within the parish of the Holy Trinity in *South-Berwick* (*o*). Frere Adam, the minister of this order, in August 1296, swore fealty to Edward I., who gave them his protection (*p*). A convent of *Carmelite* or White Friars was founded in Berwick, under Alexander II. or his son, but by whom is unknown (*q*). In August 1296, the prior and friars of the order of St. Mary of Mount Carmel, in Berwick, submitted to Edward I., and obtained his protection (*r*). After Edward acquired this town as the fruit of his victory in 1333, he removed the Scottish Carmelites, and replaced them with English, so determined was he to secure his conquest (*s*).

Of *hospitals* in Berwickshire, Spottiswoode and Keith could only find two, though subsequent researches have disclosed nine. (1.) There was a *Domus-Dei* established in Berwick town during the Scoto Saxon period, but by whom is unknown. It was under the regimen of a *magister*, who seems to have been a respectable man (*t*). In 1334 Edward III. issued a writ in favour of the *magister, et Fratres, Domus Dei, de Berwick* (*u*). (2.) During the Scoto-Saxon period there was an hospital founded in Berwick town, which was dedicated to the Virgin Mary, but the name of the founder is forgotten. When the English kings obtained possession of Berwick, they naturally assumed the patronage of its hospitals. In 1340 Edward III. gave Robert de Burton the government of this hospital of the Virgin Mary (*x*). Burton appears to have been a busy agent of the English king in the southern districts of Scotland, and obtained for his services several grants of money and revenues. He at length obtained the hospital of Ednam in Roxburghshire. Yet he seems to have been deprived of both those hospitals, for Edward III.

(*o*) Chart. Cold., 72.

(*p*) Prynne, iii., 660. Edward directed that the property of those captive friars should be restored to them. Rym., ii., 724. The superior of this order, which was called *captive*, as they relieved captives, was called minister.

(*q*) Spottiswoode has not even got this convent of Carmelites in his list.

(*r*) Ayloffe's Calend., 112. (*s*) Ib., 145.

(*t*) On the 1st of May 1332, William de Roxburgh, *magister de Domus Dei*, de Berwick super Twedam, granted a charter to the monks of Newbotle, stating that he had inspected certain *evidents*, and found that the monks of Newbotle had a right to an annual rent of 20s. out of a tenement in St. Mary's gate, which was lately possessed by Thomas de Ravensher. Chart. Newbotle, No. 212.

(*u*) Ayloffe, 147. (*x*) Ib., 186.

restored him to both in 1347 (*y*); and Burton, by his intrigue or services, obtained a third hospital from the confiding Edward III. in 1354 (*z*). (3.) During the Scoto-Saxon period there was founded without the walls of Berwick, though by whom is unknown, an hospital, which was dedicated to St. Mary Magdalen. It was sometimes described as *juxta* Berwick, and otherwhiles as *extra* Berwick. In 1296 the master of this hospital swore fealty to Edward I., who restored to him the property of this pious establishment, which seems to have been early perverted to private use (*a*). (4.) At Hotun, which is now Hutton, in the south-east of Berwickshire, there was founded during the Scoto-Saxon period, an hospital that was dedicated to the apostle John, but by whose charity cannot now be ascertained. William, the guardian of this hospital, swore fealty in 1296 to Edward I., and received back of course the revenues of his trust (*b*). (5.) At Trefountain, was founded, under the beneficent David I., an hospital, though the hand which conferred the charity is forgotten (*c*). (6.) On the western side of the Leader, below Lauder, there was founded during the Scoto-Saxon period, perhaps, by Hugh Morville, the lord of the manor, an hospital, which was dedicated to St. Leonard, who seems to have been the common patron of such establishments. In 1296 Ralph, the master of St. Leonard's hospital at Lauder, swore fealty to Edward I., who thereupon restored him the property of the

(*y*) Ayloffe, 201.

(*z*) Edward III. conferred on Robert de Burton in 1354, the custody of the hospital of St. Mary Magdalen, without the town of Berwick. Ib., 214.

(*a*) Rym., ii., 725. In 1319, Edward II. granted to John de Cerve the custody of this hospital, then being vacant, and in the donation of the king with all its rights. Ib., iii., 786. Edward III. gave to the master of St. Mary Magdalen's hospital, *juxta* Berwick, a fishing in the Tweed. Ayloffe's Calend., 148. In 1350 he issued a precept, "de denariis solvendis custodi hospitalis Beatæ Mariæ "Magdalenæ Berewici." Ib., 208. In 1354, Edward III. conferred this charge on Burton. Ib., 214. Edward in 1356, issued a writ, "de amovendo manum regis de hospitale Beatæ Mariæ Magdalenæ juxta Berwicum." Ib., 217. On the 15th of June 1361, he conferred his hospital on Roger de Bromley, and five days after he gave it to Richard Metford. Ib., 223. Richard II. in 1394-5, conferred this hospital on Richard Clifford. Ib., 261.

(*b*) Rym., ii., 725. A gentleman's seat near the site of this hospital bears the significant name of *Spital*. See Armstrong's Map of Berwickshire.

(*c*) About a mile from the nunnery of St. Bothans, on the other side of the Whitadder, is situated *Trois Fontaines*, where the remains of a chapel and burying-ground are yet extant. Stat. Acco., xii., 65. In 1437, there was a "Donatio ecclesiæ, seu *hospitalis* de *Trafontanis*, in Lamyria," by John, abbot of Alnwick, to John de Coldstream and the other monks of Dryburgh, which hospital seems to have been delivered to their charge in the year 1436, by Henry, the bishop of St. Andrews. Sir Lewis Stewart's MS. Col., No. 2.

hospital (*d*). (7.) At Legerwood in Lauderdale there was founded an hospital, during the Scoto-Saxon period, perhaps, by Walter, the son of Alan, who obtained this manor from Malcolm IV. In 1296, Nicol de Lychardeswode, the chaplain, guardian of the hospital at Lychardeswode, swore fealty to Edward I., and no doubt had his revenues in return (*e*). (8.) Robert Byset, who obtained, during the 12th century, the manor of Upsettlington on the Tweed, founded in the reign of David I. an hospital, which was dedicated to St. Leonard at Horndene. The master of this hospital witnessed a charter of Hye de Simprine during the short reign of Malcolm IV. (*f*). Robert Byset granted this hospital with its pertinents to the monks of Kelso, on condition that their abbot should keep a chaplain there; and should maintain in it two poor persons, whom the donor and his heirs should have the right of placing therein (*g*). At the end of the 13th century, those monks had, at Horndene, this hospital, with sixteen acres of land, a fishing in the Tweed, and a park within the manor of Upsettlington, for which they thought themselves obliged to support a chaplain, for celebrating divine service in the hospital chapel, and to maintain two paupers under the pious donation of Byset (*h*). (9.) An hospital for lepers was founded at Aldcamus during the 12th century, but by whose charity is unknown. William the Lion, confirmed a donation of half a carucate to this hospital (*i*); and it appears to have been placed under the protection of the monks of Coldingham, and to have partaken of their fate. Such, then, were of old the religious and charitable establishments in Berwickshire, originating from the well-meaning piety of the valorous fathers and credulous mothers of the present inhabitants.

The parishes in this extensive district may be traced back to the epoch of charters, beyond which every event is obscure. Those parishes were certainly more numerous formerly than they are at present (*k*). At the era of the Reformation, the ecclesiastical polity of this shire was completely changed, and the bishopric and deanery were displaced by the synod and presbyteries under very dissimilar auspices. When the ecclesiastical districts were formed in 1593, the *Mers* was divided into the two presbyteries, of Chirnside

(*d*) Prynne, iii., 662; Rym., ii., 724. Near the site of this hospital there were two hamlets, which were called *Spital, over* and *nether*, Spital. Pont's Map of Lauderdale, in Blaeu's Atlas Scotiæ. A gentleman's seat in this vicinity still bears the name of *St. Leonards*.

(*e*) Prynne, iii. 661. (*f*) Chart. Kelso, 272.

(*g*) Ib., 239. (*h*) Ib., 23. (*i*) Chart. Coldingham, 4.

(*k*) Soon after the Reformation, it was resolved by the Church judicatories to reduce the number one third. Melville's MS. Acts of the Church.

and of Duns (*k*). In the present times, Berwickshire has, besides those two, the presbytery of Lauder, with Nenthorn parish, in Kelso presbytery, and Cockburnspath in Dunbar presbytery, and the several parishes of this shire, with those of Teviotdale, form one synod, which stands the second in the series upon the church roll.

The origin of parishes and the meaning of their names are involved in long-enduring darkness. These inquiries have baffled all the antiquaries, and it may gratify a reasonable curiosity to see the result of another effort of investigation with regard to objects that are in themselves curious, and are in their discussion altogether proper for topographical notice.

It is fit then to begin this investigation with the parishes within the presbytery of *Chirnside*, which comprehends twelve of the most ancient in Scotland. During the 12th, the 13th, and 14th centuries, the town of Berwick, with its suburbs, with the adjacent *liberty* or Berwick-*bounds*, formed two parishes; Berwick-town and the lands near the sea on the north, forming one parish, of which the Trinity Church was the place of worship; while the village of Bondington, which no longer appears on the maps, and the adjacent territory on the west, formed the other, of which the churches of St. Laurence and the Virgin Mary were the consecrated houses. Both those parishes were within the *diocese* of St. Andrews and the *deanery* of the Merse. Their relations, ecclesiastical and political, thus continued with Berwickshire till 1482, when the disgraceful intrigues of this year separated for ever Berwick-town from North-Britain.

CHIRNSIDE was established as the seat of its presbytery soon after the Reformation (*l*), and comprehends a dozen parishes. The kirk town gave its name to the parish. The ancient appellation was *Chernside*, which it obtained from its location on the *side* of a hill, whereon was a *cairn*. Now, *carn* or charn, in the Cambro-British and Gaelic languages, signifies a heap; secondarily, a *sepulchral tumulus;* and of this Gaelic word the oblique case is *chuirn* (*m*); and to this form of the word the Saxon settlers applied their affix *side*, to denote its position. Of old this church was a *rectory* in the deanery of the *Merse* (*n*). In the ancient *taxatio*, the rectory of Chirnside was

(*k*) Melville's MS. Acts. of the Church. (*l*) Calderwood's Hist., 100.

(*m*) In Monikie parish, Forfarshire, there is a place called *Chirn*-hill, at the foot of a small round protuberance, with a cairn at the top of it. This coincidence, then, fixes the true derivation of this singular name.

(*n*) In a tax roll of the bishopric of St. Andrews, it is described as "rectoria de Chirnside in decanatu de Merse." Rel. Divi Andreæ, 57.

rated at 50 marks (*o*). In Bagimont's Roll the tenth of the rectory of Chirnside is rated at £4. On the 24th of August 1296, William de Blyth swore fealty to Edward I. at Berwick (*p*); and thereupon obtained a precept to the sheriff of Berwick to restore his property (*q*). The patronage of the rectory of Chirnside anciently belonged to the Earls of Dunbar; and when Earl Patrick founded the college church of Dunbar during the reign of David II., he annexed to it the advowson and property of the church of Chirnside, which thus formed one of the collegiate prebends. This foundation was confirmed by Bishop Landels, who ruled the see of St. Andrews from 1341 to 1385; and it was again confirmed, on the 23rd of October, 1429 by Henry, the bishop of St. Andrews (*r*). After the forfeiture of the Earl of Dunbar in 1434, the barony of Chirnside appears to have come into the family of Home (*s*). The church is as old as the year 1573 (*t*). The manse was rebuilt in 1757, and the office houses which belong to it are still more recent (*u*). [The parish church was rebuilt in 1878, and has 325 communicants; stipend, £399. A Free church has 152 members, and a U.P. 316 members.]

The parish of COLDINGHAM, which is vulgarly pronounced *Cowdenham*, is ancient and obscure in its origin. The termination is obviously the Saxon *ham*, signifying a *vill*. The prefix Colden is plainly from the Saxon Col-den, the *Cold vale*. This intimation is sufficiently applicable to the ancient Kirktown, which stood on the side of a *den*, which was exposed to the cold winds from the east and north-east (*x*). The church and parish of Coldingham were granted by the Scottish Edgar to the monks of St. Cuthbert at Durham, a colony of whom was settled here, and continued to enjoy the church and the patronage, and

(*o*) Chart. Arbroath. (*p*) Prynne, iii., 659. (*q*) Rym., ii.. 726.

(*r*) MS. Chart in Sir Lewis Stewart's Col., 58.

(*s*) On the 5th of August 1450. Sir Alexander Home granted to the college church of Dunglas four husbandlands in Chirnside. Dougl. Peer., 343. On the 4th of January 1489, James IV. confirmed an entail of the lands of Chirnside, etc., to Alexander Home, the great chamberlain of Scotland, and grandson and heir of Alexander, Lord Home, and his heirs male. Ib., 344, from the Charter in the Pub. Archives.

(*t*) A square stone which was taken from it when the east aisle was rebuilt, exhibited the year 1573, with this inscription in rude characters: *Helpe the pur.* Stat. Acco., xiv., 47.

(*u*) The glebe contains 8 acres 1 rood, stat. measure. Ib., 49. For other particulars of the parish of Chirnside, the more curious reader may consult the Stat. Acco., xiv., 1, and the Tabular State subjoined to the account of this shire.

(*x*) Between the church and the sea there is a place called *Cold*mill. This kirktown is the "Urbs *Coldana*" of Bede, saith Gibson in his "*Explicatio nominum locorum*," subjoined to his Saxon Chronicle. This coincidence is decisive, as *Coldana* and Coldene, or *dean*, are the same in substance. There are a *Colden* in Kinross parish, and *Coldean* in Auchterderran parish.

profits of it till its reformation (*y*). In the ancient *Taxatio*, Coldingham with its chapel were rated at 120 marks, which is the highest value of any church within the deanery of the Merse. Besides the church of Ayton, which was formerly a subordinate chapel to the mother church of Coldingham, there was a chapel on St. Ab's head, the remains whereof may still be seen in its ruins. The parliament of 1633 passed an act in favour of the minister of Coldingham (*z*). [The parish has been divided since 1851 into the *quoad sacra* parishes of Coldingham and Houndwood. The former has 294, and the latter 276 communicants. The stipend of Coldingham is £396. A U.P. church of 1870 has 365 members, and there is a Congregational church, erected in 1878.]

AYTON parish derived its name from the location of the church and its *ton* on the bank of the *Eye*. The name was anciently written *Eytun*, which is obviously the Saxon *tun*, a vill or town, which was affixed by the Saxon settlers to the Celtic name of the river (*a*). *Eitun* was granted, as we have just seen, by the Scottish Edgar to St. Cuthbert's monks; and thus became the property of the priory of Coldingham, and partook of its fate. Thus early was there a church at Ayton, though it was probably subordinate to the church of Coldingham; and, of course, it does not appear in the ancient *Taxatio* among the churches in the deanery of the Merse (*b*). Lying near Berwick bounds, Ayton has been the scene of great events. A truce was made here in 1384 within the church of Ayton (*c*). In 1498 the small castle of Ayton was taken by the Earl of Surrey (*d*). A seven years truce was, however, soon after signed between the hostile kingdoms within the church of Ayton, which stands on the southern bank of the Eye (*e*). [The ancient church of Ayton was superseded by a new building erected in 1866; communicants, 393; stipend, £350. Two U.P. churches, Springbank and Summerhill, have 167 and 212 members.]

(*y*) Chart. Coldingham throughout.

(*z*) Unprinted Act, dated 28th June 1633. The present parish church of Coldingham is old, mean, and dark. It was, however, divided among the parish heritors, and repaired and new seated about the year 1773. The manse and offices are good, and the glebe and garden are among the best in this presbytery. Stat. Acco., xii., 47-9. For other particulars of Coldingham parish, see the Statistical Account as above, and the *Tabular State* subjoined to Berwickshire.

(*a*) As early as the 12th century, there were two villages of that name on the river *Eye*, which were distinguished as Upper-Eyton and Lower-Eyton. Chart. Colding. There are two *Eytuns* in Edgar's charter to St. Cuthbert's monks: "Eitun, aliam Eitun." And. Independ. Appx., No. 1.

(*b*) In 1265, Hugh de Darlington, the prior of Durham, granted Henry de Prenderghest the privilege of an oratory, or private chapel, within his court of Prenderghest: "infra curiam suam de Prender-"ghest." Chart. Cold., 57. The Scottish Edgar granted with other *mansiones*, *Prenegest* to St. Cuthbert's monks. Ander. Independ. Appx., ii. (*c*) Rym., vii., 434. (*d*) Bord. Hist., 468.

(*e*) Ib., 469. The village stands on the north side of the Eye. For other particulars, the more curious reader may have recourse to the Stat. Acco., i., 79, and to the *Tabular State* which is subjoined to Berwickshire.

The parish of EYEMOUTH is one of the smallest in Berwickshire, and the most recent. The village derived its name from its position at the *mouth* of the *Ey* river, according to the Northumbrian practice (*f*). The village and territory of Eyemouth were formerly a part of the barony of Coldingham (*g*). Since the Reformation, Eyemouth has been made a *burgh of barony*, under Home of Wedderburn, who is almost the sole proprietor (*h*). During the wars which Edward VI. carried on in courtship of Mary Stewart, a fort was built at Eyemouth; was demolished at the peace; and was rebuilt in 1557, amidst some bloody conflicts. In our own times it has become, as we have seen, an useful port of busy traffic (*i*). [The parish church, erected in 1812, has 164 communicants; stipend, £379. A Free church (1878) has 234 members; a U.P. church (1842) has 278 members. There is also an Evangelical Union church.]

The present parish of MORDINGTON consists of the ancient parishes of Mordington and of Lamberton. The first is but an inconsiderable district, which was formed of the barony of Mordington and of the lands of Edrington. In ancient charters, Mordington was written Morthingtoun, and it probably obtained this name from some Saxon settler of the name of *Morthin*, who communicated his own appellation to his *tun* or vill. In the ancient *Taxatio*, the church of Morthingtoun was rated at 24 marks (*k*). The patronage of the church followed the barony till the Reformation. Robert I. gave it to Thomas Randolph, the Earl of Moray, on the resignation of Agnes de Morthington, and Henry Halyburton her husband (*l*). On the Earl of Moray's death in 1332, this barony descended successively to his two sons, Thomas, the second Earl, who fell at the battle of Dupplin in 1332, and after his death to John, the third Earl, who fell in the disastrous field of Durham in 1346. On this event this barony went to their heroic sister, Black Agnes, the Countess of Dunbar. She seems to

(*f*) In Aberdeenshire there is an *Eye* river, and the place at its issue is named *Inver-ey*, which signifies in the Gaelic the same as the Saxon *Eye*-mouth.

(*g*) In 1361, David II. granted to Ade Cossonr, a bovate of land in the tenement of Eyemouth, within the barony of Coldingham. Robertson's Index, 82. (*h*) Stat. Acco., iii., 112.

(*i*) For more particulars of the parish of Eyemouth, the Stat. Acco., iii., 112, may be consulted; and see the *Tabular State* which is annexed to Berwickshire.

(*k*) Bernard de Lynton, the parson of Mordington, swore fealty to Edward I. on the 24th of August 1296. Prynne, iii., 659. Bernard became abbot of Arbroath about the year 1303. He was appointed chancellor to Robert Bruce in 1307. He celebrated the victory of Bannockburn, 1314, in a *Latin poem*, a fragment of which has come down to our own times. Fordun, ii., 249. In 1320, he convened the Scottish barons at his monastery of Arbroath, where they subscribed the epistle to the Pope, the magnanimity of which has been admired in every age. Diplom. Scotiæ, pl. li. He continued abbot and chancellor till 1328, when he was made bishop of Sodor and Man. He died in 1333, and was buried at Arbroath. (*l*) Robertson's Index, 9.

have transferred it to her daughter Agnes, when she married James Douglas, of Dalkeith, who obtained, in November 1372, a charter from his wife's brother, George Earl of Dunbar; and his charter was confirmed by Robert II. (*m*). In this family Mordington remained till the Reformation. In 1564, it was confirmed by Queen Mary to her unworthy chancellor, the well-known Earl of Morton, with the advowson of the church and other estates, which were all ratified by the parliament of April 1567 (*n*). It was in the Mansion-house of Mordington that Cromwell, when he passed the Tweed for the first time, established his quarters. The parish of Lamberton was only a small district till its union with Mordington in 1650. It obtained its name, like so many districts in the southern shires, from the name of a Saxon settler in early times, whose *tun* it became (*o*). The person who gave his name to this district settled here before the reign of David I.; as *Lambertoun* had become a surname before his accession (*p*). In the ancient *Taxatio*, the church of Lambertoun is mentioned at the low valuation of 15 marks; yet had the monks of Coldingham acquired the advowson of it in that age (*q*). During the reign of Edward I. they had acquired various lands in Lamberton parish (*r*). The church of Lamberton, which is now in ruins, stood on an eminence three miles northward from Berwick town, on the road to Edinburgh After the disgraceful year 1482, it became, from its commodious situation, the successive scene of public events. The marriage treaty of the Princess Margaret with James IV. stipulated that she should be delivered to the Scottish king's commissioners at Lamberton church, without any expense to the bridegroom (*s*). Tradition idly tells that

(*m*) Robertson's Index, 196.

(*n*) Parl. Rec., 763. In 1633, Sir James Douglas, the second son of William the Earl of Angus, obtained from Charles I. a grant of Over-Mordington and other lands; and he was created Lord Mordington by the facility of Charles I. Dougl. Peer., 487.

(*o*) The charter of Gospatrick before the year 1139, was witnessed by *Lambert*, Dapifer. Diplom. Scotiæ, pl. 71. In 1177, bishop Richard of St. Andrews decided a contest between the monks of Kelso and one Lambert, about a tenement in Berwick. Chart. Kelso, 445. We thus see that there were Lamberts in Berwick during early times.

(*p*) David I. granted a charter at Berwick, which was witnessed by William de *Lambertown*, with Earl Henry, who died in 1152, and Herbert the chancellor. Chart. Dunferm.

(*q*) In the early division of the 13th century, a convention was made between Arnold, the prior of Coldingham, and Walter de Liudsey, about the chapel at Lamberton, which the baron was allowed to enjoy: "Salvo jure matricis ecclesiæ." Chart. Cold., 72.

(*r*) Ib., 29. William de la Vale, the chamberlain of Berwick, made return to a precept, "quod prior de Coldingham habeat redditum suum de parva Lamberton." Id.

(*s*) Rym., xii., 788. She was to be delivered to him or to his order, "apud ecclesiam vulgariter vocatum Lamberton kirk." John Younge, the Somerset herald, has left a journal of Margaret's

Margaret was married in that kirk; but she was spoused at Windsor and the contract consummated at Dalkeith. She returned to Lamberton kirk, in June 1517, a widowed queen, in less felicitous circumstances owing to her own misconduct. In April 1573, Lord Ruthven, on an inauspicious day, met Sir William Durie, the marshal of Berwick, at Lamberton kirk, where they made a convention, which encouraged Durie to besiege Edinburgh castle (*t*). Lamberton parish after the Reformation was annexed to the adjoining parish of Ayton, to enlarge the stipend; and in 1650 it was disjoined from Ayton and annexed to the still smaller parish of Mordington (*u*). [The parish church, erected in 1869, has 155 communicants; stipend, £261. A Free church has 78 members.]

The village and church of FOULDEN parish stand on the lower edge of a dry height, near the upper end of two ravines or dens, which deepen as they descend to the river Whitadder. The name was anciently written *Ful-den*, which, in the Saxon speech, would signify the impure hollow or dirty den. The prefix *ful* is, no doubt, the same as that of *Ful*-ham on the Thames, which probably derived its appellation from the *moisture* of its site. The origin of the parish is as obscure as the etymon of the name. The church was a rectory till the Reformation introduced a new regimen. In the ancient *Taxatio*, the church of Fulden was rated at 24 marks. In Bagimont's Roll the tenth of the rectory was valued at £4. It is recorded, in the Tax Roll of the Archbishopric of St. Andrews, 1547, as the rectory of Foulden in the deanery of the Merse. The advowson of this church seems to have been always attached to the manor. Robert de Ramsay, the parson of Fulden, swore fealty to Edward I. at Berwick, on the 24th of September 1296; and soon after received his property in return (*x*). Queen Elizabeth's excuses for the

Journey from Windsor to Edinburgh. He conducts the *younge quene* with great attendance and splendour to Berwick-upon-Tweed: "On the xxx and xxxi days of July 1502, the quene tarried at *Barr-*
"*wyk*, where she had great chere of the said cappitayne of *Barrwyk*. That sam day was, by the cappi-
"tayne, to the pleaseur of the said quene, gyffen corses of chasee, within the said town, with other
"sports of bayrs and of dogs togeder. The first day of August, the quene departed from *Barwick* for
"to go to *Lamberton* kerke in verrey fair company, and well appoynted. Before the said quene war,
"by order, Johannes and hys company [of players] and Henry Glescebery and his company, the trom-
"petts, officers of arms, and sergeants of masse; so that, at the departing out of the said Barrwyk, and
"at her *Bedward*, at *Lamberton kerke*, it was a joy for to see and here." Leland's Collectanea, ii. Sandford, in his Genealogical Hist., 522, mistakingly calls the said place of delivery *Saint Lambert's kirk*; but of such a *saint* I know nothing.

(*t*) Spottiswood's Hist., 270.

(*u*) For other particulars of this united parish see the Stat. Acco., xv., 173, and the tabular state subjoined to this shire.

(*x*) Rym., ii., 724.

murder of Mary Stewart, being too terrible for the ear of her son James, were made, on the 24th of March 1587, to his commisioners *in the church of Foulden*, near Berwick-bounds (*y*). Mary might have well warned Elizabeth: "When by thy scorn, murdress, I am dead; then shall my ghost come to thy bed." The parish of Foulden has not prospered for many years (*z*). [Its parish church, re-erected on the site of an older building in 1786, has 148 communicants; stipend, £260.]

The present parish of HUTTON consists of the old parishes of Fishwick and Hutton. This name is probably a corruption of Holtun, signifying in the speech of the Saxon settlers in the south of Scotland, Wood-town. *Hutton*, in Dumfriesshire, had probably the same origin, like other places of the same name in England, where we may see them in the original form of *Holt-ton* (*a*). In the ancient *Taxatio*, the church of Hutton was rated at 24 marks. Thomas, the parson of the church of Hutton, swore fealty to Edward I. on the 24th August 1296, and was no doubt rewarded by the restitution of his property (*b*). Owing to whatever cause, Hutton does not appear in Bagimont's Roll. *Fishwic* probably obtained its name from the site of the kirk town, on the bank of the Tweed, where fish abounded; and *Fishwic*, in the language of the Northumbrian Saxons, is tantamount to Fish-vill. The Scottish Edgar granted to St. Cuthbert's monks *Fiscwic* with its appurtenants (*c*). In 1150, Robert, the bishop of St. Andrews, in the presence of the synod, which then sat at Berwick, confirmed to the monks of Coldingham the churches of *Fishwic* and Swinton (*d*). In the ancient *Taxatio*, the church of Fishwic was rated at 30 marks. Fishwic and its church were again confirmed to those monks by Robert III., who inspected and ratified the original grant of Edgar (*e*). The advowson of the church of Fishwic continued in the monks of Coldingham till the Reformation swept away such establishments. Fishwic was annexed to the adjoining parish of Hutton on the north. The old church of Fishwic, which stood on the northern bank of the Tweed below the village,

(*y*) Border Hist., 669-70.

(*z*) For other particulars of that parish, the more curious reader may look into the Stat. Account, xi., 116, and inspect the Tabular State subjoined.

(*a*) See Gibson's *Regula Generalis* to his Sax. Chron., in vo. *Holt*. See the Glos. to Lyndsay's Poetry, 1806, for the distinction between *holt*, a wood, and *holt*, a hill.

(*b*) Prynne, iii., 662.

(*c*) Smith's Bede, App., xx. The grant was "Fiscwic tam in terris, quam *in aquis*, et cum omnibus sibi adjacentibus." We, in this very ancient charter, see the name in its Saxon form. There are a Fishwic in Lancashire, and a Fishwic upon the Tame in Staffordshire.

(*d*) Chart. Cold., 41. (*e*) Robertson's Index, 153.

has become a ruin. In 1765 a new church for the united parish was built at Hutton, on the site of its ancient church (*f*). Communicants, 346; stipend, £390.]

The mansion-house and church of EDROM stand on the southern bank of the Whitadder, whence the place obtained from the Saxon settlers the name of *Ader-ham*, the hamlet on the Adder (*a*); the name being composed of the Cambro-British appellation for the river, and the Anglo-Saxon term for the village. Aderham was changed to Ederham, and Ederham was contracted colloquially to Edrom, as *Edenham* was abbreviated to *Ednam*. The lands and church of Ederham, with Nesbit, were granted to St. Cuthbert's monks by Gospatrick, the Earl of Dunbar (*b*), and confirmed in 1139 by David I. (*c*). In 1150 the donation of Gospatrick was confirmed by Robert the bishop of St. Andrews, in the presence of the synod at Berwick town; and it was also confirmed by Bishop Richard, who ruled the see of St. Andrews from 1163 to 1177. Richard also granted, in favour of the prior of Coldingham, the investiture of the church of Edrom (*d*). In the ancient *Taxatio*, the church of Edrom was rated at no less than 100 marks. Edrom was of course a vicarage till the Reformation; and William de Chatton, "*vicaire* de l'eglise de Ederham," swore fealty to Edward I. on the 24th of August 1296, at Berwick town (*e*).

(*f*) For more recent particulars of this united parish, see the Stat. Acco., iv., 196, and the *Tabular State* subjoined.

(*a*) The *Adders* in Berwickshire, the *Ader* in Wiltshire, and the *Ader* in Sussex, derive their several names from the Cambro-British *Awedur*, signifying running water. Lhuyd's Arch. 233.

(*b*) Diplom. Scotiæ, pl. 71.

(*c*) Dougl. Peer., 43. About the year 1147, David granted those monks another confirmation, with two material exceptions: (1.) Of thirty shillings due to his son and heir, "Pro corrodio regis;" and (2.) "Pro exercito regis." Chart. Cold., 2. This charter was confirmed by Earl Henry, the king's son, and by William, the son of the earl. Ib., 10-4-89; and with a thousand confirmations of the successive Earls of Dunbar, it was additionally confirmed by David II. Rob. Index, 82. We thus see that David I. was entitled to a *corody* (corrodium) from the monks of Coldingham. *Carody*, saith Blount, signifies a sum of money, or allowance of meat, drink, and clothing, due to the king from any religious house; and if withheld, it might have been exacted by the writ, *Corodio Habendo*. We here trace an obscure particle of the old law of Scotland during David's time.

(*d*) The bishops' *Litera* was addressed to the prior and convent of Durham, "de investitura ad ecclesiam de Ederham." Ib., 42. Roger, who ruled that see from 1188 to 1202, granted a concessio ecclesiæ de Ederham magistro Alano ad presentationem prioris et conventus Dunelm." Ib., 43. In the same chartulary there are a variety of other precepts, both of the bishops of St. Andrews as diocesans, and of the Scottish kings, addressed to the prior of Durham as to the church of Ederham.

(*e*) Prynne, iii., 659.

In 1732 a new church was built here, and has since been repaired (*f*). During the minority of James V. the most murderous contests for the lands of Blackadder, continued between the Blackadders of Blackadder and the Homes, which finally ended in favour of the Homes, by violence against right. [The parish church has 269 communicants; stipend, £400. Allanton Free church has 197 members.]

The present parish was formed in the year 1735, by the union of the two ancient parishes of *Whitsome* and *Hilton*. WHITSOME, which was sometimes written of old in the Scoto-Saxon orthography, *Quitsome* derived its name from the *Kirktown*, which had obtained its designation from some Saxon settler here, and called his settlement *Hwits-ham*, which, in modern language, is *White's home*. In the same manner as Smalham in Roxburghshire, was changed to *Smallhome*, which was corrupted to *Smailholm* (*g*). We have now seen that there was upon the scene, at the epoch of the Saxon settlement here, a person named *Hwite*, whose *ham* this district may have been, and whose name was thus easily corrupted by colloquial use. Till the Reformation, Whitsome was a rectory, and in the ancient *Taxatio* was rated at 45 marks. In Bagimont's Rolls, the tenth of this rectory was rated at £6 13s. 4d. This rectory, forming a part of the deanery of the Merse, was included in the tax roll, 1547, of the archbishopric of St. Andrews. Rauf de Hawden, the parson of the church of Whitsome, swore fealty to Edward I. at Berwick, on the 24th of August 1296, and of course had his parsonage returned to him (*h*). The advowson of this church seems to have been always annexed to the manor, which belonged to the Earls of Dunbar (*i*). The old

(*f*) Robert Blackadder, the first of the archbishops of Glasgow, whose family derived its surname from Blackadder in Edrom parish, built a vaulted aisle to the ancient church. Bord. Hist., 473. For other particulars of this parish, see the Stat. Acco., i., 116, and the *Tabular State* subjoined to this shire.

(*g*) In Pont's map of the Merse, we may see not only Whits-*hoome* but North-hoome, for North-ham or Nor-ham, Car-*hoome* for Car-ham, and Wood-*hoome* for Wood-ham. A person named *Hwite*, is one of the witnesses to Edgar's charter for the neighbouring Swinton to Cuthbert's monks. Smith's Bede, App., xx. When this charter was confirmed in 1392, the chancery clerk of Robert III. wrote for *Hwite, Qhwite*. Robertson's Index, 155. This example has been already noticed as a proof of what was said in the Prefatory Dissertations to Lyndsay's Poetry, of the propensity of the Scottish scribes to use *quh* for *wh*.

(*h*) Prynne, iii., 657: Rym., ii., 725.

(*i*) John de Yle seems to have forfeited Whitsome, which was valued at 200 shillings of old extent: and thereupon Robert I. granted one half of it to Roger Pringle, and the other to Nicol Fowler. Robert. Index. 5. David II. granted the half of the lands of Whitsome to William Colville. Ib., 30. In 1364, Patrick, the Earl of Dunbar, granted to Alexander de

church of Hilton stood on a small hill, whence the place obtained the name of Hill-tun, which is a topographical appellation both in North and South-Britain. The church of Hilton was of old a rectory, and in the ancient *Taxatio* it was rated at 18 marks. As this rectory appears not in Bagimont's Roll, we may suppose that it belonged to some of the exempt monasteries. In 1296, David, the parson of Hilltun, swore fealty to Edward I. at Berwick, and received in return his rights (*k*). In 1464, there seems to have been a suit depending at the court of Rome about the church of Hillton (*l*). In 1362, David II. granted to William de Wardlaw two carucates of land in the manor of Hilton, which, like many other lands in that age, had fallen to the crown by the forfeiture of Adam de Hilton, who adhered to the English king (*m*). [The parish church, erected in 1803, has 246 communicants; stipend, £380.]

SWINTON and *Simprin* are very ancient parishes, which continued separate till 1761, when they were united. The Saxon name of *Swin-tun* is obviously derived from its being the place of swine; and of the same name are several villages in England; as there is in Coldingham parish, a *Swine*-wood, which was granted by the Scottish Edgar to St. Cuthbert's monks. When the church of St. Mary, at Coldingham, was dedicated in 1098 by Edgar, he consigned to the same monks, upon the altar, "villam totam *Swintun* cum divisis, sicut Liulf habuit" (*n*). This grant of Edgar was confirmed by his successors, and by Bishop Robert in 1150, in the presence of his synod at Berwick (*o*). David I. granted some lands in Swinton to Arnulf, his *miles*, to be held of St. Cuthbert's monks (*p*); and the charters of David I. to Arnulf, thus laid the foundation of the house of Swinton, which is undoubtedly ancient. Those monks retained the church of Swinton till the Reformation. In the ancient *Taxatio* the church of Swinton was rated at 35 marks. On the 24th of August 1296, William de Swynton, the vicar of Swinton, swore fealty to Edward I. at Berwick (*q*). Douglas, the genealogist, supposes that the

Ricklinton, the half of the lands of East-spot, "in villa de *Quytsoun*," which had belonged to Seyer Fraser, and which Patrick de Ramsay, knight, had resigned "in plena curia nostra apud Quytingham." Ib., 76. (*k*) Prynne, iii., 662; Rym., ii., 725. (*l*) Chart. Colding., 87.

(*m*) Rob. Index., 73. For some other notices about this united parish, see the Stat. Acco., xvi., 348, and the *Tabular State* subjoined to Berwickshire.

(*n*) Diplom Scotiæ, pl. vi. Edgar on that occasion gave to the same monks "viginti quatuor *animalia* ad restaurandam illam eandem terram." Id. This is another charter notice, to show the unmanured state of the Merse, during the early reign of Edgar.

(*o*) Ib., pl. vii., x.; Chart. Cold., 10-41. (*p*) Ib., 3; Dougl. Bar., 127.

(*q*) Prynne, iii., 659.

vicar of Swinton was a younger brother of Henry de Swinton, who also swore fealty with a younger son of Henry de Swinton of Swinton (*r*). In 1329, Bishop Bayn of St. Andrews gave a release of an assignation "super decimas garbarum," of Swinton and Wester Nesbit, during four years, for a debt of twenty marks (*s*). The prioress of Coldstream held a part of Little Swinton, and in 1419, Marion, the prioress, entered into an agreement with the prior of Durham about the tithes and services which she owed for that possession; and had the address to obtain a confirmation of the same prior, as superior of her rights within Little Swinton (*t*). The origin of the church and the name of *Simprin* are most obscure. Nor is there any help to be obtained from a consideration of its location on a wavy ridge of the lower Merse. The name was written in the charters of the 12th and 13th centuries *Simpring*, and we are thus led to recollect that there is a *Simpring-ham* parish in Lincolnshire. The annex *ham* would induce us to suppose that *Simpring* must have been the name of the person whose hamlet it was, as the word *Simpring* cannot be etymologized from any language. Neither Gibson in his Saxon Chronicle, nor Lambard in his Dictionary of Places, though they take notice of the Lincoln Simpringham, give the least aid; and Skinner and Johnson have failed egregiously in giving any etymon of the verb, *Simper*, to smile, sillily. During the age of David I. Hye de Simpring possessed the manor of Simpring, and the advowson of its church. The church of Simpring was, at the same time, enjoyed by Thor, the archdeacon of Lothian. During the reign of Malcolm IV. Hye de Simpring granted to the monks of Kelso, the church of Simpring, with a toft and some lands, reserving the rights of archdeacon Thor during his life (*u*). Hye, the munificent, was succeeded by his son Peter, who confirmed his father's liberalities, which were also approved by William the Lion (*x*). In 1251, Bishop David, of the same see, confirmed to the monks of Kelso the church of Simpring to their *proper use*; yet not to be served by a *vicar*, but by a sufficient clerk, as chaplain, who should be answerable for his conduct to the bishop and his successors (*y*). In the ancient *Taxatio*, the church of Simpring was rated at 15 marks. When the monks of Kelso estimated their various estates, they calculated the church of Simpring to be worth ten

(*r*) Dougl. Bar., 128. (*s*) Chart. Cold., 46. (*t*) Ib., 74-92.

(*u*) Chart. Kelso, 272.

(*x*) Ib., 12. All those grants to the monks were confirmed by the well-born Roger, who ruled the See of St Andrews from 1188 to 1202. Ib., 82.

(*y*) Ib., 276, 429. This grant of bishop David was confirmed by John, the prior of St. Andrews, "teste capitulo." Ib., 277-421.

pounds (*z*). The whole parish of Simprin continued long in the family of Cockburn of Langton, till it was sold for the satisfaction of debts in 1758. The parishes of Swinton and Simprin were united in 1761. The united church and manse stand in the prosperous village of Swinton. The late Lord Swinton, one of the senators of the college of justice, with much useful learning, possessed the still rarer knowledge of the true art by which a small town may be made great (*a*). [The church was erected in 1729, and enlarged in 1782; communicants, 377; stipend, £511. Thomas Boston, of Ettrick, was at one time minister of Simprin. A Free church, erected in 1860, has 226 members.]

The parish of LADYKIRK comprehends the ancient parishes of Upsetlington and Horndene. The parish of Upsetlington took its name from the Kirktown which stands on the northern margin of the Tweed, somewhat higher than Norham on the opposite bank. The origin of the name is obscure, and without the prefix *Up*, or *Upper*, denotes the name of some settler on this pleasant site. Till the Reformation the church here was a rectory (*b*), and in the ancient *Taxatio* it was rated at 20 marks. The tenth of this rectory was valued in Bagimont's Roll at £4. The advowson seems of old to have been attached to the manor. On the 28th of August 1296, Henry de Strivelin, the parson of Upsetlington, swore fealty to Edward I. at Berwick, and in return had a restitution of his parochial rights (*c*). In 1500 James IV. erected a new church for this parish, which he dedicated to the *Virgin Mary*, and hence, in after times, the parish became known by the name of *Ladykirk* (*d*). The name of the parish of *Horndene* is peculiarly Saxon. *Horn*, in the A.-S. tongue, signifies a *corner*, and *dene*, a *vale*. The Scottish Edgar granted to St. Cuthbert's monks the lands which lay between *Horndene* and Cnapdene (*e*). From such a description naturally arose controversy among pertinacious parties, and it fell to the lot of Earl David, the youngest brother of Edgar, to decide the dispute

(*z*) Chart. Kelso.

(*a*) For more particulars of those united parishes, see the Stat. Acco., vi., 322, and the *Tabular State* subjoined.

(*b*) In a tax-roll of the archbishopric of St. Andrews, 1547, the church is called "*rectoria* de Upsadlington."

(*c*) Prynne, iii., 660; Rym., ii., 724. From Brigham in England, Edward I. adjourned the Scottish Parliament to an open field in Upsetlington. Rym., ii., 546; Lord Hailes' An., i., 202. In 1331, there existed controversies with the bishop of Durham, who claimed West-Upsetlington as an appurtenant of his castle of Norham. Edward III. wrote to David II., "de episcopo Dunelmensi non inquietando." Rym., iv., 499. In 1559, a supplementary treaty to that of *Cateau Cambresis* was signed on the 31st May, in the church of St. Mary of Upsetlington. Bord. Hist., 599.

(*d*) Ib., 147. For more particulars of this parish, see the Stat. Acco., viii., 71, and the *Tabular State* subjoined.

( ) Smith's Bede, App. xx.

with his usual liberality (*f*). William de Vetereponte acquired the manor of Horndene during the 12th century, and he transferred the church of Horndene to the monks of Kelso (*g*). This grant of Vetereponte was confirmed by bishop Hugh, who ruled the diocese of St. Andrews from 1177 to 1188 (*h*). In the ancient *Taxatio* the church of Horndene was valued at 100 shillings. When the monks of Kelso afterward made an estimate of their estates, they valued this church, which they held to their *proper use*, at 10 marks (*i*). It continued to belong to them till the Reformation. After this epoch the parishes of Upsetlington and Horndene were united for the enlargement of the minister's stipend. The united parish was now called Ladykirk, in honour of *our Lady*, and the principal proprietor of the parish has applied this appropriate name to his mansion-house, while the decayed village of Upsetlington retains its ancient but obscure appellation (*k*). [The parish church was originally erected in the sixteenth century, and repaired in 1743 and 1861; communicants, 151; stipend, £254. A U.P. church at Horndean has 187 members.]

The old name of the parish of COLDSTREAM was *Lennal*. In ancient charters the word was variously written, Leinhall, Lenhal, Lennal, Leinal, and Lennel. The Kirktown of Lennal stood on the northern bank of the Tweed, which here forms a pool, and from this circumstance, probably, acquired from the Ottadini people its Cambro-British name, Llyn, signifying a pool, or the stagnating part of a river. The British *Llyn*, which in the Cornish and Armoric forms is *Len*, appears both as *Lin* and *Len*, in the names of many places in North and South Britain, and the original appears in the varied form of *Len* or *Lin*, which, no doubt, continued till the intrusion of the Saxon settlers on the Tweed, when their term *Hal*, signifying a large house, was affixed to the ancient name. The parish of *Leinhall* appears in the earliest records (*l*). When Gospatrick, the

(*f*) Diplom. Scotiæ, pl. x. This is the record of the first juridical decision in the Scottish law. Earl David decided in favour of the monks, provided they could show either possession or his brother's grant. It is in this document that the *drengs*, a species of *villeyns*, are mentioned. This is a very curious transaction, which illustrates at once the *sovereignty* of Earl David and his *justice*. (*g*) Chart. Kelso, 139.

(*h*) Ib., 414; and his confirmation was approved by his dignified successor bishop Roger. Ib., 82; and the whole transaction was ratified in 1251 by bishop David, who, we may remember, insisted that the monks should provide an honest chaplain for the service of the church, and not a rapacious vicar. Ib., 421. (*i*) Id.

(*k*) For more recent particulars of this united parish, see the Stat. Acco., viii., 71, and the *Tabular State* annexed.

(*l*) Henry, "presbyter de Leinhall," witnessed the charter which Robert, the bishop of St. Andrews, granted to the monks of Coldingham at Roxburgh in 1147, in the presence of David I., with many of his clergy. Chart. Cold.; Smith's Bede, App. xx., where the name of the parish is mistakingly printed *Leinhale*.

Earl of Dunbar founded the Cistercian nunnery at Coldstream, he gave it the church of *Layn-el*, with half a carucate of land at *Layn-el*, and another half carucate at Brigham ; and Derder, his Countess, granted to the same nunnery the church of Hirsel and a carucate of land, which the Earl confirmed (*m*). In this manner, then, were the churches of *Leinhall* and Hirsel invested in the same religious house ; but the church of Hirsel came afterwards to be considered only as a chapel, subordinate to the church of Leinhall. The church of Hirsel stood on the lands of Hirsel, which form the south-western part of this parish. In the ancient *Taxatio*, the church of *Leinal* was rated at 30 marks ; but the church of Hirsel does not appear therein, being even then deemed a chapel. The church of Leinal continued in the possession of the prioress of Coldstream till the Reformation, and it preserved its ancient name for a century and a half after that epoch. In 1716 a new parish church was built at the village of Coldstream, and the designation of the parish became afterward the name of the kirktown. The ruins of the church of Leinal stand about a mile northward from Coldstream, on the steep bank of the Tweed, which has carried away a part of the church-yard. The village of Lennal disappeared amidst the waste of the border wars. The mansion-house of Lennal still appears on the bank of the Tweed, above the ruins of the ancient church. Coldstream stands below the influx of the *Leet*, which winds around the town before it loses itself in the Tweed ; and from this stream, the Kirktown probably acquired its name from the Saxon settlers on this pleasant site, which now forms a prosperous post town, which gives its name to the connecting bridge of Coldstream with England (*n*). Thus much, then, with regard to the several parishes in the presbytery of *Chirnside*. [The parish church of Coldstream was erected in 1795 ; communicants, 574 ; stipend, £469. A Free church has 337 members ; and two U.P. churches, East and West, have 236 and 338 members respectively.]

The reformation led on to the establishment of the seat of a presbytery at DUNS (*o*). The parish of *Dunse* is ancient. Its name was written of old *Duns*. This appellation is merely the Celtic *Dun*, signifying a hill, which was applied to the beautiful height called Duns-law. In this vicinity, there are several hills which may have occasioned the application of the English (*s*), the sign of the plural to the singular *Dun*. The advowson of the church, with the property of the parish, belonged from early times to the Earls of Dunbar. During the reign of David II., Earl Patrick, when he founded the collegiate church of Dun-

(*m*) Dougl. Peer., 438 ; from Chart. Coldstream. 70-71.

(*n*) For other particulars, see the Stat. Acco., iv., 410, and the *Tabular State* annexed.

(*o*) Melville's MS. ; Calderwood's Hist., 100.

bar, annexed to it the church of Duns as one of its prebends. This annexation was confirmed by bishop Landels, who ruled the see of St. Andrews from 1341 to 1385; and bishop Henry again confirmed it on the 23rd of October 1429 (*p*). In the ancient *Taxatio*, Duns, as a rectory, was rated at 110 marks; and in Bagimont's Roll, the tenth of the rectory of Duns was valued at no less than £10. (*q*). On the 28th of August 1296, Henry de Lematon swore fealty to Edward I. at Berwick, and in return had his rectory of Duns, with its rights, restored to him (*a*). On the 15th December 1661, Andrew Fairfoul, the minister of Duns, was consecrated, in Westminster Abbey, Archbishop of Glasgow (*b*). A new church of elegant structure was erected at Duns in 1792. Dissenters of various denominations have their meetings here; the burghers and anti-burghers, the Seceders of Relief, all quietly pursue their several peculiarities, as they are all fully tolerated (*c*). [The parish church was burned in 1879, and restored in 1881; communicants, 754; stipend, £460. Boston Free church has 340 members; three U.P. churches, East, West, and South, have 266, 323, and 300 members. There are also Episcopalian and Roman Catholic chapels.]

The parish of GREENLAW derives its Saxon name from one of those detached hills, which, in the south-east of Scotland, are called *Laws*, from the Saxon *Hlawe*, a *tumulus*. The hamlet of Old Greenlaw stood on the summit of one of those hillocks, which, from its superior verdure during times of worse cultivation, was called *Greenlaw*. This name was transferred to the town of Greenlaw, which stands north-west seven furlongs, in a bend of the Blackadder; and on the same side of the river, at some distance eastward, stood the castle of Greenlaw, which has been long disparted by time. The manor of Greenlaw belonged to the ancient Earls of Dunbar, who were patrons of the church of Greenlaw, and of the chapel of Lambdene. Earl Gospatrick, who succeeded his father in 1147, granted to the monks of Kelso the church of Greenlaw, with the chapel of Lambdene and the church lands adjacent (*d*). This grant was confirmed by

(*p*) MS. Chart., Sir Lewis Stuart's Col., 58.

(*q*) The Tax Roll of the archbishop of St. Andrews, 1547, recognizes the *rectory* of Duns in the deanery of the Merse. (*a*) Prynne, iii., 662; Rym., ii., 724.

(*b*) Wood's Athenæ, 856; Keith's Bishops, 158.

(*c*) For other particulars, the more curious reader may see the Stat. Acco., iv., 378, and the *Tabular State* annexed. On the 31st of July 1637, James, Earl of Home, obtained a grant of the barony of Duns. Dougl. Peer., 347.

(*d*) Chart. Kelso, 70. The chapel of Lambdene was built by Walter de Strivelin, who held the lands of Lambdene under the Earl Gospatrick. Walter obtained from the bishop of St. Andrews permission to build a church within his village of Lambdene, on the concession and request of Gospatrick, the Earl, whose fee the said hamlet was. Chart. Kelso, 423. *Lambdene*, the vale of the lamb, was situated in the south-east quarter of Greenlaw parish.

Waldeve, the successor of Gospatrick, and by Patrick, the son, and successor of Waldeve (*e*). Gospatrick, the father of Waldeve, had a younger son, Patrick, to whom he gave the manor of Greenlaw, with other lands. Patrick, who was the progenitor of the Home family, held Greenlaw under the Earl of Dunbar till 1435, when the earldom became annexed to the crown, as we have seen. Patrick, who thus obtained the manor of Greenlaw, confirmed the munificence of his fathers, and from his own liberality conferred on those monks some other lands (*f*). In earlier times, there was a similar agreement between those monks and Roland of Greenlaw, who wished for a private chapel, which they allowed, on a similar condition, in favour of the church of Greenlaw (*g*). In the ancient *Taxatio*, the church of Greenlaw was rated at 45 marks. On the 28th of August 1296, Nicolaus del Camb, the vicar of Greenlaw, swore fealty to Edward I. at Berwick; and in return was restored to his vicarage with its rights (*h*). In the old manor of Halyburton there was a church as early as the manor itself. In the ancient *Taxatio*, the church of Halyburton was rated at four marks. This notice shows equally the poverty and the separation of the church of Halyburton. When this church, however, was granted to the monks of Kelso, they seem to have converted it into a chapel. About the year 1176, David, the son of Tructe, granted to the monks of Kelso the church of Halyburton within his *vill*, with some crofts and two bovates of land; and all for the sake of the soul of his Lord Gospatrick, the Earl (*i*). William Lamberton, who ruled the see of St Andrews from 1298 to 1328, granted to the

(*e*) Ib., 71-2. The charters of those several earls were confirmed by William the Lion. Ib., 12.

(*f*) Ib., 75. He thus confirmed to them half a carucate of land which Adam had given to the church of Greenlaw; and Patrick gave them a right of pasturage within his manor of Greenlaw for 100 sheep, 8 oxen, 4 cows, and 1 work-horse. Chart. Kelso, 73. Patrick was succeeded in his manor of Greenlaw by his son William, who confirmed the grants of his father and grandfather, and he gave them in addition a toft with a croft at Greenlaw, which Adam Cassin held of him, and another toft at Greenlaw, which Liolf, *equicius*, held of him with other lands. Ib., 75-77. *Equicium* signifies a stud, *equicius* may be translated a stud-groom, or in a laxer sense, a *stabler* of Greenlaw. In consideration of all those liberalities, the monks gave Patrick leave to have within his court at Greenlaw a private chapel, giving the monks, however, an assurance that the mother church of Greenlaw should not be injured by his chapel. Ib., 74. (*g*) Chart. Kelso. (*h*) Rym., ii., 724.

(*i*) Chart. Kelso, 267. That grant was confirmed by Walter, the son of David, the son of Tructe. Ib., 269. Under Alexander III. Philip de Halyburton, the great-grandson of David, the son of Tructe, also confirmed the grant of his fathers. Ib., 269. In 1261, the same Philip gave the monks a resignation of the *chapel* of Halyburton. Ib., 270. The name of this old establishment is obviously the *Haly-bury-tun* of the Saxon speech, signifying the holy fortlet and village. In 1441, Sir Walter Halyburton of Dirleton, the descendant of David, the son of Tructe, was created a lord of Parliament. Dougl. Peer., 321, from the Parl. Rec.

monks of Kelso the church of Greenlaw to their *proper use*, with the chapels of Halyburton and Lambdene, in consideration of the great waste of the succession war (*k*). When the monks made up an estimate of their estate at the beginning of the 14th century, they stated the rectory of Greenlaw at the accustomed value of £26. 13s. 4d. (*l*). In Bagimont's roll, the tenth of the vicarage of Greenlaw was rated at £3 6s. 8d. The rectory of Greenlaw, including the chapels of Halyburton and Lambdene, continued to belong to the monks of Kelso till the Reformation introduced a very different regimen (*m*). [The parish church is old, but has been repaired at various times; communicants, 316; stipend, £357. A Free church has 295, and a U.P. church has 162 members.]

The parish of ECCLES, as the name evinces, is as ancient as Celtic times; the British *Eglys*, and Gaelic *Eaglis*, signifying a church. This word appears in the names of various parishes and places where churches were of old, in North and South Britain (*n*). The church of Eccles was dedicated to St. Cuthbert. In 1156, Gospatrick, the Earl of Dunbar, founded at *Eccles* a convent for Cistercian nuns. To this convent he annexed the church of Eccles with its pertinents, and the dependant chapels of Brigham, Mersington, and Letham. The piety of Gospatrick was respected by his descendants, and confirmed by the bishop of St. Andrews (*o*). In the ancient *Taxatio*, the church of Eccles, with the chapels of Brigham, Letham, and Mersington, were rated at 100 marks. The chapel of Brigham stood on the northern bank of the Tweed, at the village of this name, from its location by the Saxon settlers at some bridge. The lands of Brigham were forfeited, by the treason of George Earl of Dunbar, in 1400; and when he was restored in 1409, he was punished for his folly by various dilapidations of his property. Walter Halyburton, who had married the regent Albany's daughter, and had negotiated his restoration, was rewarded by a grant of the forty pound land of Brigham. The chapel of Letham stood in the village of that name, within the parish of Eccles; and when Earl George emigrated in 1400, Robert III. granted the lands of Letham to John de Letham (*p*). The chapel of Mersington stood in the village of this name, within the same parish; and David II. confirmed a grant of Patrick Earl of Dunbar to Adam Hepburn of Mersington, and some lands in Colbrands-path (*q*). On the

(*k*) Chart. Kelso, 308. (*l*) Chart. Kelso.

(*m*) For other particulars of the parish of Greenlaw, see the Stat. Acco., xiv., 501, and the *Tabular State* annexed.

(*n*) Adams's Villare. In Scotland there are *Eccles*-machan, *Eccles*-fechan, *Eccles*-greig, *Eccles*-john, and *Eagles* in Ayrshire, and *Eagles*-ham in Renfrew.

(*o*) Reg. of St. Andrews, 59-60. (*p*) Robert. Index, 149. (*q*) Ib., 42.

26th of April 1209, Radulph, "Sacerdos de Dunbar accepit curam de *Heccles* (*r*)." About the year 1250, when a new church was built here, St. Andrew was enthroned as the tutelary protector of Eccles in the place of the worthy Cuthbert. All those churches and chapels continued with the convent till the Reformation regenerated the old regimen (*s*). [The present parish church was erected in 1774; communicants, 310; stipend, £394. A Free church has 76 members, and a U.P. church at Leitholm has 237 members.]

The parish of FOGO derived its name from the Kirktown. In ancient charters this singular name was written *Foghou*. The church of Fogo stands on the eastern bank of a narrow valley which leads to a ford on the Blackwater, and this river runs in a deep channel when it passes Fogo, and indeed throughout its whole course within this parish. These circumstances suggest the Saxon name of Fog-hou, the foggage pit, den, or hollow. This parish is ancient. Under David I. it belonged to the opulent Earls of Dunbar, who were proprietors of the manor of Fogo. Gospatrick, who succeeded his father in 1147, granted the church of *Foghow* to the monks of Kelso with a carucate of land (*t*), and the dignified bishop Roger, who ruled St. Andrews from 1188 to 1202, added his approbation to the piety of Gospatrick (*u*). Patrick, Earl of Dunbar, who succeeded his father in 1182, granted to his second son, William, the manor of Fogo to hold of the earldom; and William, who had thus become the Lord of the manor, confirmed to the monks of Kelso the church of Fogo, with the mansion which John the dean possessed, with the croft adjacent, and the contiguous land reaching southward to "*Grenerig*;" and he added to those gifts that land within his territory of Foghou which John the dean had enjoyed with the church (*x*). William, the son of the Earl, who probably obtained Foghou on his marriage with Christian, the rich heiress of Walter Corbet of Makerstoun, had two sons by her, who both assumed her name of Corbet, Nicolas and Patrick. Nicolas inherited his mother's manor of Makerstoun, and Patrick obtained from his father the manor of Foghou. Patrick Corbet, on the death of his father in 1253, granted to the monks of Kelso his chapel of Foghou with the mill of the manor; the monks, in consideration of his gift, being held to provide either three monks or three secular chaplains to perform divine service in the same chapel (*y*). We thus see how many of the manors

(*r*) Chron. Melrose. We feel above the Saxon aspirate in *Heccles*.

(*s*) For more recent particulars of this parish, see the Stat. Acco., xi., 231, and the *Tabular State* annexed.

(*t*) Chart. Kelso, 70. The liberality of Gospatrick was approved and confirmed by Malcolm IV. and William the Lion. Ib., 2-12.

(*u*) Ib., 82. (*x*) Chart. Kelso, 302. (*y*) Chart., 304.

in those times had their own chapels. The manor of Foghou seems to have come by marriage to the neighbouring family of Gordon, still holding of the Earls of Dunbar till the forfeiture of Earl George in 1400; and Sir Adam Gordon now obtained from Robert III., a charter for the lands of Gordon and of Fogo in Berwickshire, "the superiority whereof pertained to the king by reason of the forfeiture of the Earl of Dunbar (*z*)." Sir Adam, who thus became a tenant in chief of Gordon and Fogo, fell on the fatal field of Homildon in 1402, and was succeeded by Elizabeth, his heiress, who married Sir Alexander Seton (*a*). In the ancient *Taxatio* the church of Fogo was rated at the middling value of 40 marks. On the 28th of August 1296, David, the vicar of Foghow, swore fealty to Edward, and in return had the restoration of his vicarage (*b*). The monks of Kelso retained the church of Fogo till the Reformation established a very different regimen. [The parish church is an ancient building, which was repaired in 1755 and 1817, and enlarged in 1853; communicants, 140; stipend, £290.]

The church of POLWARTH is situated on a rivulet, which, as it courses over a clayey bottom, becomes muddy from every shower. The village of Polwarth stands higher on a kindred stream, a mile north-westward on a swampy site. Such are the local circumstances to which the corrupted name of Polwarth may be traced. In ancient records, the appellation of this parish was variously written, *Poulworth*, *Paulworth*, and *Polworth*. Now, *Pul* in the Cambro-British, and *Pol* in the Gaelic, signify a ditch, a stagnating stream, a marshy place; and hence *Pol* became a common name for many rivulets in North Britain. *Worth* or *weorth*, as we have seen, signifies, in the Saxon speech, a farmstead, a hamlet, a village; and thus *Polworth* means the settlement on the *Pol*, or muddy stream; as Jed*worth* was the hamlet on the Jed, and Tam*worth*, the farmstead on the Tame. The church of Polworth is ancient, and the advowson seems never to have been separated from the manor at any time since the epoch of record. In the 12th and 13th centuries, the manor was enjoyed by a family who assumed from it the surname of *Polworth*. Under Robert II., Sir Patrick de Polworth, knight, left a daughter, Elizabeth, the inheritrix of *Polworth* and of *Kimbrigham*, which has been contracted to *Kimmerghame*, in the Merse;

(*z*) Robertson's Index, 140.

(*a*) On the 20th of July 1408, the regent Albany granted a charter, on the resignation of the heiress, Elizabeth de Gordon, at Perth on the same day, to Sir Alexander Seton and the heirs of Elizabeth, of the lands of Huntly, and Gordon, and *Foghow*, Fawnys, and Mellerstanes, of which Sir Adam had died seized in Berwickshire, and of Strathbolgie, and Beldy Gordon, and other lands in Aberdeenshire. Roberts. Index, 163.

(*b*) Rym., ii., 726. The more curious reader may see more modern notices of Fogo parish in the Stat. Acco., xx. 270.

and Elizabeth of Polworth, taking Sir John Sinclair of Herdmanston for her husband, transmitted those estates to the issue of her marriage. In this manner, then, was *Polworth* and Kimmerghame acquired by Sir John Sinclair, whose son, grandson, and great grandson, enjoyed them as the heirs of Elizabeth de Polworth. Under James II. her grandson died without male issue, leaving two daughters, Margaret and Marian; while Herdmanston went to the heirs-male of Sir William Sinclair, who died last seized, Margaret, by marrying Sir Patrick Home, conveyed to her husband Polworth, and Marian, by marrying George of Wedderburn, Sir Patrick's elder brother, transferred Kimmerghame to him. In this manner, then, arose the family of Home of Polworth; and on the 23rd of April 1696, Sir Patrick Home, one of the most vigorous characters of his age, was created Earl of Marchmont, Viscount Blassonbury, Lord Polworth, Redbraes and Greenlaw (*c*). Polworth continued a rectory till the Reformation, and it was valued in the ancient *Taxatio* at 12 marks. In Bagimont's Roll, the tenth of the rectory was rated at £4. Intimations these, which show that the parish was but small and the rectory of little value (*d*). On the 28th of August 1296, Adam Lamb, the parson of *Pouleworth*, swore fealty to Edward, and in return obtained a precept for the restoration of his property (*e*). Adam Home, the third son of Sir Patrick Home of Polworth, was rector of this parish at the Reformation, and became the first protestant minister of the parish of Polworth (*f*). [The parish church has 106 communicants; stipend, £330.]

The name of the parish of LANGTON was, like many others, derived from the Kirktown, which extended to a great length eastward towards Duns; and the appellation of *Lang-tun* is purely Saxon, which signifies *Lang-town*, though it retains in common use much of its Saxon form. It is an ancient parish. During the reign of David I., the manor, with the advowson of the church, were

(*c*) Dougl. Peer., 447; Crawf. Peer., 310-17. All those places belonged to this parish, except Blassonberry and Greenlaw; and Marchmont is merely the modern name of Red-braes, which was changed to Marchmont, the family seat.

(*d*) In the Tax Roll of St. Andrews, 1547, the rectory of Polwarth, in the deanery of the Merse, was included.

(*e*) Rym., ii., 724.

(*f*) Dougl. Peer., 445; Stat. Acco., xvii., 96, which says that circumstance stands recorded on his tombstone. There is on the front of the church an historical inscription in Latin by the first Lord Marchmont, dated in 1703, in which there is some fiction as to the antiquity of the church. Id. The well-known Scottish song of Polwarth on the Green, originated in a custom, which has fallen into unmerited disuse, and which consisted in the marriage folks dancing round two thorn trees that graced *Polwarth on the Green*. Other notices of this parish, the more curious reader may see in the Stat. Acco., xvii., 93, and in the *Tabular State* annexed.

held by Roger de Ow, the follower of Earl Henry, the heir apparent of David. The gratitude of Roger granted to the monks of Kelso the church of his village of Langton, with its pertinents, as Henry the parson held them (*g*). The lamented Earl Henry was buried in the church of Kelso *(h)*. From the liberal de Ow, the whole manor of Langton passed to William de Vetereponte, a name which was afterwards softened to *Vipont*, who had a son William (*i*). He now confirmed to those monks the church of Langton, with the tithes and lands belonging to it; and he also conferred on them the lands called Coleman's Flat within the same parish (*k*). William the Lion confirmed the liberalities of de Ow and Vipont (*l*). The diocesan, the dignified bishop Roger, also confirmed to the monks the church of Langton, with its pertinents (*m*). The Viponts continued the lords of the manor of Langton during the revolutionary ages of Robert I. and David II. (*n*). In the ancient *Taxatio*, the church of Langton was rated at 30 marks; and when the monks at the commencement of the 14th century made an estimate of their affairs, they stated the rectory of Langton to have been estimably worth £20. In 1296 John, the vicar of Langton, swore fealty at Berwick to Edward, and in return obtained a writ for the restitution of his vicarage, with its rights (*o*). The Reformation introduced into the parish of Langton a very different regimen (*p*). [The parish church, erected in 1798 on the site of an older building, was rebuilt in 1872; communicants, 88; stipend, £319. A Free church has 112 members.]

(*g*) Chart. Kelso, 137.

(*h*) Ib., 141, expressly says, "Ipsius ecclesie de Kalchou, in qua corpus Henrici comitis requiescit." Lord Hailes was unacquainted with this fact. An., i., 91.

(*i*) This William obtained from William the Lion between the years 1171 and 1178, a grant of the manor of Langton, Bolton in East Lothian, and Careden in West Lothian, to be held *in free warren*. Roberts. Index, 179.

(*k*) Ib., 138-9-40-1. He gave those monks another charter of confirmation, which contained a limitation that they should always retain in their own hands the church of Langton. Ib., 141. It is in this charter that the fact of Earl Henry's burial within the church of Kelso is recorded.

(*l*) Ib., 12-143.

(*m*) Ib., 82. In 1240, bishop David of the same see, who ought to be remembered as a diocesan, who endeavoured to make the monks advert a little to "the cure of souls," wrote the monks of Kelso an epistle about Langton church. Ib., 416.

(*n*) Robert. Index, 80. The manor of Langton afterwards passed into the family of Cockburn. Among Haddington's MS. Col. in the Advocates Lib., 364, there is a charter of James IV. dated the 20th of February 1504-5, of the *Ostiarius Parliamenti*, which was thereby annexed to the manor of Langton. From the Cockburns, the manor and church of Langton were acquired by David Gavin, who removed the ancient village, about the year 1760, to a better site under happier influences. His daughter, the Countess of Breadalbane, now enjoys the estate and patronage of the church.

(*o*) Rym., ii., 726.

(*p*) The more curious reader may see in the Stat. Acco., xiv., 579, more modern notices of Langton parish, and in the *Tabular State* annexed.

The conjoined parish of BUNKLE and PRESTON, formed of old separate parishes. The church of Bunkle stands near an old castle, and both are situated at the *base* of a ridge, which is called in modern language *Bonkle-edge*. *Bonkle* is the contracted form of the word, which was always written Bonkill till recent times (*q*). In the British and Gaelic speech, *Bon* signifies the base, and is applied in the North British topography to places lying at the foot of hills, as the Boyn in Banffshire; and there is reason to suppose that the prefix *Bon* in this name was early applied to the foot of the ridge, which here is called *edge*, as in other places in the south of Scotland (*r*). *Cill*, in those Celtic languages, signifies a retreat, a cell, a chapel, a kirk. The word *Bon* must have been applied very early to the place at the foot of the *edge*; and when the chapel was settled at the same place the *cill* or *kill* was applied rather in the Saxon than in the Celtic mode of formation of a singular name (*s*). The parish of Bunkle is ancient. David I. had to settle a controversy about the proper limits of Bunkle-*scire* and Coldinghame-*scire* (*t*). William the Lion was also called upon to settle the same boundaries by pertinacious parties (*u*). The advowson of the church of Bunkle has continued with the lord of the manor from the 12th century to the present. During the 12th and 13th centuries the manor of Bunkle was possessed by a family, who assumed from their lands the name of Bunkle. In the 12th century, Radulph de Bonkill granted to the monks of Coldingham all the right which he had to the *forests* and *moors* of Coldingham-scire (*x*). The liberality of Radulph also gave them the lands of *Toddehalech* in the neighbouring parish of Edrom (*y*). The lairds of Bunkle continued a re-

(*q*) Chart. Cold.; Roberts. Index.

(*r*) One of the several senses of the English *edge*, which is certainly derived, as we may see in Somner, from the Saxon *ecge*, is a *brink*, *margin*, or *extremity*, and the word *edge* is accordingly applied in the shires of Berwick and Roxburgh to ridges, perhaps in a somewhat extended sense.

(*s*) In the Scottish topography there is no other *Bonkill* or *Bunkle*.

(*t*) David's charter, describing the boundaries of those two parishes, is in the Chart. Colding., 2. We see above the Saxon term *scire*, for a division or district, is applied in the sense of *parish* as an adjunct to the names of the two parishes.

(*u*) Ib., 5; and the term *s ire* is again annexed to Bunkle and Coldingham. The boundaries, as settled by David and his grandson William, were again confirmed by Alexander II. Ib., 6; and even the Countess of Angus, as lady of Bunkle, was also induced to declare her sense of the limits of those two parishes. Ib., 84.

(*x*) Chart. Colding., 19.

(*y*) Id. Todde-hauch means Fox meadow, and here is an instance how early the Saxon settlers of the Merse introduced the term *tod* for a *fox*. Radulph, moreover, gave those monks the lands of Brockholes, Harewood, and Denwood. Ib., 84.

spectable family here, till the reign of Alexander III., when Sir Alexander de Bonkill had to sustain the struggles of the succession war (*z*). Sir Alexander left only one child, Elizabeth, his heiress, who married, about the year 1288, Sir John Stewart, the second son of Alexander, the Stewart of Scotland, who died in 1283, and the younger brother of James, the Stewart, who died in 1309 (*a*). Sir John Stewart fell at the battle of Falkirk in 1298, fighting with Wallace for the independence of his country (*b*). He left by his wife, Margaret de Bonkill, who did not long survive him, seven sons and one daughter. But he never enjoyed Bunkle, though he had some lands, with his wife Margaret, in Cumberland, as her father outlived him ; nor was he ever called Sir John Stewart of Bonkill during his life. On the decease of his widow in 1305, she was succeeded in the barony of Bunkle by her eldest son, who had been named Alexander after her father. Alexander of Bonkill did not live long, as he died some time before the year 1319, leaving a son John, who succeeded him in Bunkle, and a daughter Isabel, who married the Earl of Mar (*c*). His son John was certainly created Earl of Angus by Robert Bruce, before his demise on the 7th of June 1329 (*d*). But he did not enjoy long the honour thus conferred

(*z*) Burns' Cumberland, 130. Sir Alexander de Bonkill had the mortification to witness John Baliol swear fealty to Edward I. as Lord Paramount of Scotland, at Newcastle, on the 26th of December 1292. Rym., ii., 594-5. Sir Alexander died some months before the 27th of April 1300, as we know from an *Inquisitio post Mortem* in the tower.

(*a*) Rym., ii., 714, coevally calls Sir John Stewart, the brother of James, the Stewart of Scotland. When Sir John Stewart swore fealty to Edward I., on the 15th of May 1296, he is described by the record as brother German of James, "dictus senescallus Scotiæ." Prynne, iii., 649. This relationship of Sir John Stewart is so established by contemporary records that it cannot admit of any question. It has been doubted, indeed, whether Sir John Stewart married Elizabeth de Bonkill. But there was an inquest of the clergy of the deanery of Allerdale, which was held at Wigton on the 20th of July 1305, and which expressly found "that Sir Alexander Bonkill had a daughter Margaret, who is now lately dead, and that in her father's lifetime she had married Sir John, the brother of the Stewart of Scotland." Burn's Hist. Cumberland, ii., 131-2. The fact, then, was found by an inquest of clergymen. There are other records in the tower which ascertain the same fact.

(*b*) W. Hemingford, i., 165 ; Lord Hailes' An., i. 260.

(*c*) Symson's Hist. Stewarts, 64 ; D. Stewart's Hist., Andrew Stuart's Genealogical Hist. Stewarts, 49.

(*d*) There remains a charter of Earl John to Gilbert Lumisden, of the lands of Blanerne, within the barony and parish of Bunkle, dated the 15th of June 1329, in which he calls himself *Earl of Angus* and *Lord of Bonkill*. We thus see from this charter notice that John had been then created Earl of Angus before the demise of the great Bruce, and yet John Stewart meantime obtained a dispensation of Pope John, on the 28th of October 1328, to marry Margaret Abernethy,

upon him by the restorer of the monarchy, since he died on the 9th of December 1331, as we know from Fordun (*e*). He was succeeded as Earl of Angus and Lord of Bonkill by his son Thomas, who lived during very disastrous times. In 1353, he married, by a dispensation from the pope, Margaret Sinclair of Roslin (*f*); and dying of the plague a prisoner in Dumbarton castle, in 1361, he left by his wife, the Countess Margaret, a son, Thomas, who succeeded him as Earl of Angus and Lord of Bonkill, with two daughters, Margaret and Elizabeth (*g*). This second Thomas, who married a daughter of the Earl of Mar, died without issue in 1377 (*h*); and he was now succeeded as Lord of Bunkle by his eldest sister, Margaret, who married, for her first husband, Thomas, Earl of Mar, by whom she had no issue; and, for her second husband, William, the first Earl of Douglas, by whom she had a son, George, who was the heir of Bunkle. This Earl of Douglas died in 1384, and his and her son, George, obtained in 1389, upon his mother's resignation, a charter from Robert II. of the earldom of Angus, the lordship of Abernethy, and the barony of *Bunkle* (*i*). There remains a curious contract, in 1397, between Robert III. and Margaret, Countess of Mar and of Angus, for the marriage of her son, George, to a daughter of the Scottish king (*k*). Robert III. was thus induced to grant to George Douglas, and the heirs of his marriage, the earldom of Angus, the lordship of Abernethy, and the barony of *Bunkle*, with the advowson of the churches within those territories to be held in a *free regality* (*l*). From that

by the name of John Styward, Dominus de Bonkill. See the Dispens. in And. Stuart's Genealog. Hist., App. 430; and he assisted, as Earl of Angus, at the coronation of David II. on the 24th of November 1331, as we learn from Fordun, l. xiii., c. 21. Crawfurd in his Peerage was misled by a loose expression in Fordun, to say that Sir John Stewart of Bonkill was created Earl of Angus at the coronation of David II.

(*e*) L. xxii., c. 21. When the pretender to the Scottish crown, Edward Baliol, broke into Scotland, he granted on the 20th October 1332, the manor of Bunkle, which John Stewart of Bonkill had forfeited by his opposition to his pretensions, to Sir Thomas Ughtred, an active instrument on that occasion of the English king, and of his puppet Edward Baliol. See the Inspeximus Charter of Edward III., 1340, in Rym., v., 177-8.

(*f*) See the Dispensation in And. Stuart's Geneal. Hist., App., 435.

(*g*) Crawf. Peer., 9; Dougl. Peer., 21.

(*h*) Id. And. Stuart's Geneal. Hist., 58. (*i*) Ib., 59.

(*k*) The original is in Lord Douglas's Archives: "Att Edyuburgh ye xxiiii day of May ye yeir of our Lord a thousand thri hunyr nyuty & seven mad waryir Amandys uneruritun betwyx a nobill & excellent Prince Robert throw ye grace of God Kyng of Scotys of the ta'pte a'd Margarette contas of Mar & of Angus of the toyir p'te yt is to say," &c. George of Douglas, Lord of Angus, in pursuance of this contract, married the Lady Mary, the king's daughter.

(*l*) Roberts. Index. 139; Crawf. Peer., 9.

epoch *Bunkle* has remained with the Douglases. It was forfeited, indeed, by Archibald Earl of Angus, who was convicted of treason in 1528; but his forfeiture was reversed on the 15th of March 1542-3 (*m*). We have now seen the barony of Bunkle pass, by Margaret, a female heir, to Sir John Stewart, whose son enjoyed it, and whose grandson was created Earl of Angus and Lord of Bonkill; and Margaret, the granddaughter of the first Earl, by marrying William Earl Douglas, carried Bonkill from the race of the Stewarts to the family of Douglas (*n*). The conjoined parish of Preston, like other places in North and South Britain, derived its name from the Saxon *Prest-tun*, the town of the priest. The Kirktown of Preston stands on the northern side of the Whitadder, nearly two miles south-westward of Bonkill. The two manors of Preston and Bunkle, as the property of the same family, were virtually united (*o*). The church of Preston, any more than the church of Bunkle, does not appear in the ancient *Taxatio;* neither do these two parishes seem to have ever belonged to any religious house. The church of Preston has been completely ruined by time and chance; the church of Bunkle continues to serve all the spiritual purposes of the united parish. The Reformation, no doubt, introduced here, as in every other district, a very different regimen (*p*). [The parish church was rebuilt in 1820 on the site of a very ancient edifice; communicants, 171; stipend, £390.]

The ABBEY OF ST. BATHAN'S parish is situated among the hills of Lammermuir, on the Whitadder riveret. This name is a modern corruption of St. Bothan's, as we may learn from the Aberdeen Breviary (*q*). Under William the Lion, his daughter Ada, the Countess of March, founded on the same sequestered

(*m*) Parl. Rec., 580-650. The titles were afterward confirmed by Queen Mary, and ratified in Parliament. Parl. Rec., 765; and thus, under all those rights and authorities, the present Lord Douglas enjoys *Bunkle* and *Preston*, with their pertinents, as representative of the Douglases, Earls of Angus, the posterity of the Lady Mary, and George Douglas.

(*n*) Thus failed the Steuarts of Bonkill. The race of the Steuarts who descended from Sir John Steuart and Margaret de Bonkill, who left seven sons and one daughter, will be resumed in the account of Renfrewshire.

(*o*) The last Thomas Steuart, Earl of Angus, who died in 1377, granted to Thomas *Reidpath* 15 husband lands and 7 cottage crofts, "in villa de *Prestoun* et baronia de Bonkill." This grant was confirmed by Robert II. in 1379. Roberts. Index, 123; and on this point see the Parl. Rec., 766.

(*p*) For other notices, the more curious reader may see the Stat. Acco., iii., 153, and the *Tabular State* annexed.

(*q*) "In Lamermur, Bothani episcopi et coenobie sancti monialium ei consecratio." Aberd. Breviary. Dempster's Menologia records the 18th of January as the day of Bishop Bothan. The parish church of Yester, in East Lothian, was also dedicated to St. Bothan. The name of Abbey of St. Bothan still remained unchanged when Pont surveyed Berwickshire. Blaeu's Atlas, No. 8. The parish has only been misnamed Abbey of St. Bathan's since the epoch of the Reformation.

site, a convent for Cistercian nuns, who acquired the advowson of St. Bothan's church, which was anciently of much value. The church was valued in the ancient *Taxatio* at 50 marks. A very different regimen was introduced into the abbey of St. Bothan's parish at the Reformation (*r*). [The parish church has 130 communicants; stipend, £212.]

The castle and Kirktown of CRANSHAWS are situated near the head of a small valley, through which runs a rivulet to the Whitadder, the banks whereof were of old clothed and ornamented with natural oaks and hazels, where the cranes delighted to resort. Thus the name of the parish is merely the old English Crane-shaws, the *shaw* signifying a wood, a shelter (*s*). The parish of Cranshaws is old. It consists of two divisions, which are separated by the interposition of the parish of Longformacus. Lying in the heart of the Lammermuir, this district seems to have been always little peopled. In the ancient *Taxatio* it was rated only at 12 marks. In Bagimont's Roll, the tenth of the rectory was valued at £2 13s. 4d., the money of that age. When greater men swore fealty to Edward I. in 1296, Robert de Strivelin, the parson of the church of Cranshaws, offered his homage at Berwick, and in return was restored to his rights (*t*). The advowson of the church seems to have been always attached to the manor. The barons of Cranshaws, during the 12th and 13th centuries, cannot be easily ascertained. In the 14th century this barony appears to have been obtained by the Douglases. In 1401, Sir John Swinton of Swinton acquired the lands of Cranshaws from Archibald, the fourth Earl of Douglas, who calls him "dilectus consanguineus noster" (*u*). The baronial mansion of Cranshaws was once castellated for its defence. It has been of late fitted up for occasional residence. The regimen of this parish, like more important districts, underwent some change at the Reformation (*x*). [The parish church was erected in 1739, since when it has been repaired; communicants, 89; stipend, £200.]

(*r*) The parish church is certainly very ancient. It was of old 58 feet long and 26 feet broad; but has of late been contracted to accommodate a small flock. For more recent notices, the curious reader may consult the Stat. Acco., xii., 61. and the *Tabular State* annexed.

(*s*) See Ash and Somner; but Ruddiman will have the etymon to be the Gaelic *Sheaghas*, which is pronounced *Sheas*, a wood; yet the frequent application of *Shaws* in southern Britain to woody shades, seems to preclude the ingenious conjecture of the learned grammarian. (*t*) Rym., ii., 725.

(*u*) Dougl. Peer., 129. In 1585, the family of Swinton still enjoyed Cranshaws. Ib., 130. In June 1640, an act passed the parliament of Scotland, confirming to the Laird of Swinton the baronies of Swinton and *Cranshaws*, with the tiends thereof, and the patronage of the church of Cranshaws. Unprinted Act of the 11th of June. Watson of Saughton is now the proprietor of Cranshaws.

(*x*) For more recent notices, the more inquisitive reader may inspect the Stat. Acco., vi., 436, and the *Tabular State* annexed.

The present parish of LONGFORMACUS comprehends the old parishes of *Lochermacus* and *Ellem*. Longformacus is the modern corruption of *Lochermacus*, which is the form of the name in old charters. This was still the name of the parish in the reign of Queen Mary (*y*), and during the age of Charles I. (*z*). *Locher* is a frequent name in Scottish topography, as *Locher*-wart, Mid-Lothian, *Locher*-castle, *Locher*-moss, and *Locher*-water, in Annandale, and there are the rivulets *Locher* in Lanark and Renfrew. It also appears, perhaps, in the form of *Locher*-by, in Annandale, *Locher*-by, in Yorkshire, and *Locher*-by, in Hampshire. The word is probably the British Llwcher, or Lloucher, signifying a place of pools, or a stream that stagnates into pools. There are several such riverets in Wales under the form of *Loucher*. The Gaelic term is *Locher*. As Rodericks was annexed, as we have seen, to Linton; *Maccus*, the name of a person which we know existed in Roxburghshire, was adjoined to Locher. The church of Locher-macus, owing to whatever cause, does not appear in the ancient *Taxatio*. The advowson of the church seems to have been always appurtenant to the manor. But the ancient Lords of Lochermacus cannot be easily traced. Before the accession of Robert I., Morthington of Morthington had become the proprietor of this parish. Randolph, the first Earl of Moray, obtained from the gratitude of that great king, his uncle, the baronies of Morthington and Longformacus, which had pertained to Agnes de Morthington and her husband, who had resigned them (*a*). After the death of the illustrious Randolph on the 22nd of July 1332, those baronies were successively held by his son Thomas, who fell on the disgraceful field of Dupplin in 1332; and by John, the third Earl, who fell on the more disastrous field of Durham in 1346. Black Agnes, their sister, and Countess of Dunbar, enjoyed Morthington and Longformacus; from her those baronies descended to her son George, Earl of Dunbar. This great person soon after granted to James Sinclair, of the Roslin family, the barony of Longformacus, to be held of the Earls of Dunbar; and the Earl's liberality was confirmed by Robert III. in 1393 (*b*). But when this earldom was forfeited in 1434, the Sinclairs seem to have become tenants in chief of Longformacus (*c*). This family was now involved in some measure in the various fortunes of the Earldom of Dunbar; yet did they retain the barony of Longformacus till late times. The property of this barony with the advowson of the church, now belong to Home of Longformacus. Morthington,

(*y*) Parl. Rec., 763.

(*a*) Roberts. Index, 9, 11

(*c*) Dougl Peer., 249.

(*z*) Pont's Map in Blaeu, No. 8.

(*b*) Roberts. Index, 144.

which has been changed to Mordington, remained with the Earldom of Dunbar till Earl George, in 1372, gave it in marriage with his sister Agnes, to James Douglas of Dalkeith. In this family it continued till Queen Mary's days. In October 1564, she confirmed to the well-known James, Earl of Morton, the barony of Mordington, with the advowson of the churches of Mordington and Longformacus, and such other churches and chapels as to them might belong. Mary's liberality to her unworthy servant was confirmed by the parliament in April 1567 (*d*). We may easily suppose that the forfeiture of this guilty Peer for being privy to the murder of Darnley, may have made some change as well in the property of the barony, as in the patronage of the church. The name of the parish of *Elleme* is obscure. It is obviously, however, a contraction of El-ham, which is nearly allied to El-botle, the *ham* and botl being almost synonymous (*e*). *El* in the Saxon is a frequent prefix, as we may know from Somner. But there is a reason to suspect that the prefix *El* in the names of places in Scotland and in England, may be a contraction of *Eld*, old; so Eld-ham would be the old tun or vill in opposition to *New*-bigging. The parish is ancient, and the name was easily barbarized. The advowson of the church belonged of old to the Earls of Dunbar, who also were lords of the manor (*f*). After the forfeiture of the Earl of Dunbar in 1400, Robert III. granted to Thomas Erskine, the lands of Ellam, with the teinds within the earldom (*g*). As this parish lay in the midst of the Lammermuir, it was neither populous nor opulent. The church was valued in the ancient *Taxatio* at 26 marks. In Bagimont's Roll, the tenth of the rectory was rated at £6 6s. 8d. The rectory of Ellem appears in the archbishop's Tax Roll, 1547 (*h*). Thomas Brown, the parson of Ellem swore fealty to Edward III. after the battle of Halidonhill, and in return received a protection for his person and his parsonage (*i*). The ruins of the ancient church and the hamlet of Ellem, stand on the north side of the Whitadder, near a ford, whence the place has been recently called Ellem-ford. The old church was still used for spiritual rites during the reign of Charles I. The two parishes were united some time before the year 1750. The church of Longformacus now accommodates the whole parishioners who

(*d*) Parl. Rec., 763; Roberts. Index, 136; Dougl. Peer., 490.

(*e*) They both signify a villa, domicilium, a village, a farm, a hamlet.

(*f*) There appears to have been formerly a family of Ellem, who probably were tenants of the manor under the Earls of Dunbar. Henry de Ellem swore fealty to Edward at Berwick, on the 28th of August 1296. Prynne, iii., 657. Richard de Ellem witnessed a charter of Earl Patrick, at his castle of Dunbar, on the 24th of May 1367. Roberts. Index, 82.

(*g*) Ib., 147. (*h*) Reliq. Div. Andreæ, 57. (*i*) Rym., iv., 570.

adhere to the established church (*i*). Thus much, then, with regard to the *ten* parishes which form the presbytery of *Duns*. [The parish church erected about 1730 has 111 communicants; stipend, £312. A Free Church has 96 members.]

Among the presbyteries which were laid out by the regimen of the Reformation, LAUDER seems not to have been appointed (*k*). It was, however, established as the seat of a presbytery containing *nine* parishes, of which *seven* are in Berwickshire, and *two* in Roxburghshire, as we already have seen. The Kirktown of Lauder gave its name to the parish, and the town took its Celtic designation from the river *Leader*, whereon it stands. Analogy, perhaps, requires that the name should be written *Lauder*, as the vale through which it runs has been called *Lauderdale* from the epoch of record (*l*). The learned minister of the parish has mistakingly supposed that the church of Lauder was of old only a chapel under Channel-kirk, and was raised to the dignity of a church by the Reformation (*m*). Lauder may appeal against its minister to the oldest records for its antiquity. It had of old two chapels, which were subordinate to Lauder, as the mother church, the chapel of Kedslea (*n*), and the chapel of St. Leonard's (*o*). The church of Lauder appears to have been early of great value. In the ancient *Taxatio* it was valued at 90 marks, while Channelkirk was valued only at 40 marks. During the reign of the church-loving David I., the advowson of the church of Lauder belonged to Hugh Morville, who enjoyed

(*i*) The Stat. Acco., i., 69, will not much enlighten to the inquisitive reader the obscurities of Ellem, but he may inspect the *Tabular State* annexed.

(*k*) Calderwood's Hist., 100.

(*l*) *Lauder*, as the name of the riveret, as Camden calls it, may be derived from the Cambro-British *Lai-dur*, signifying the discoloured stream ; but as this water runs clear and unpolluted over a gravelly bottom, the fact does not warrant such an etymon. Or the name might have been derived from the Cambro-British *Lai-dur*, signifying a *lesser* river, which is applicable to the *Lauder* as compared with the Tweed. The derivation which is most consistent with circumstances and fact, is to be found in the Cambro-British *La-dur* or *Leder*, which signify the stream which breaks out or overflows. Now, the Lauder is a mountain torrent that after the melting of snow or the fa ling of rain overflows its banks, and sweeps away mills and bridges. This etymon is thus supported by the fact, and equally applies to the *Leder* in Wales.

(*m*) Stat. Acco., i., 74.

(*n*) The chapel of Kedslie stood on the west side of the Lauder, on a site which was actually named *Chapel*, in a detached part of the parish of Lauder on the south. Malcolm IV. confirmed to the monks of Dryburgh "terra illa quam *Kisth*, clericus, tenuit de avo meo de ecclesia de Cadisleya." Chart. Dryb., 176.

(*o*) St. Leonard's chapel stood on the western side of the Lauder, southward from the town, west somewhat from the site of St. Leonard's hospital. Richard Morville, who died in 1189, granted St. Leonard's chapel with its pertinents to the monks of Dryburgh. Nisb. Herald, i., 134. *St. Leonard's banks* are still celebrated in Scottish song. Ritson's Col., ii., 121.

from the grant of that celebrated king almost the whole of Lauderdale. The church, through many a changeful age, was appurtenant to the manor; and when the munificent Hugh died in 1162, his estates and office of constable descended to his son Richard, who died in 1189; and from him coming to his son William, who died in 1196; Lauderdale, the kirk-town and office, descended to his sister Elena. All that belonged to the opulent family of the Morvilles she carried to her husband Alan, the lord of Galloway, who died without male heirs in 1234. His three daughters, Elena, Christian, and Dervorgille, inherited his estates, as parceners of the whole that he possessed. Christian died without issue in 1246; and when the two surviving sisters divided the whole between them, Lauder, with its churches and chapels, fell to the share of the liberal Dervorgille, who had married John Baliol of Bernards-castle, Yorkshire; and Dervorgille and her husband resigned to the canons of Dryburgh the advowson of the church of Lauder, and the seat of the chapel belonging to it (*p*); and the church of Lauder, with its rights, which were thus acquired, remained with the canons of Dryburgh till the Reformation introduced a new regimen. The whole was afterward acquired by the family of Lauderdale, who now enjoy it (*q*). In the memorable year 1296, William Fitzaleyn "le clerc de Laweder," swore fealty to Edward at Berwick, with greater men, who obeyed necessity (*r*). It was in the old church of Lauder where the scandalous meeting was held in July 1482, which ended in the murder of the king's menials on Lauder-bridge, and the imprisonment of James III. in Edinburgh castle (*s*). This ancient church stood at the northern end of the town, opposite to Lauder-fort. It was relinquished in 1617, when a new church was erected on the south-east quarter of the town (*t*). The Reformation, no doubt, introduced here a very different regimen. [The parish church erected in 1673, has been frequently repaired till 1820. Communicants, 692; stipend, £397. A Free church has 151 members, and a U. P. church has 240.]

(*p*) Chart. Dryb., 6-7. On the 19th of June 1268, John Baliol completed this gift by formally resigning into the hands of Gamelin, the bishop of St. Andrews, the advowson of the church of Lauder and the chapelry belonging to it. Ib., 3; and the next day the bishop confirmed the piety of Baliol. Ib., 4. To make surety more sure, the whole transfer of those church rights was confirmed by John the prior, with the chapter of St. Andrews. Ib., 5.

(*q*) Alexander Lauder, the son of Sir John Lauder of Halton, and the brother of the bishop of Glasgow, was promoted, in May 1440, from the rectory of Ratho to the see of Dunkeld; but dying on the 11th of October in the same year, he was buried "in ecclesia parochiali de Lawedre, loco sepulturæ parentelæ." Fordun, l. xvi., c. 26. (*r*) Prynne, iii., 658.

(*s*) The minister records the disgraceful circumstance "that the house in which the king was seized is still standing," to the reproach of that ancient town. Stat. Acco., i., 75.

(*t*) On the 28th of June 1617, there passed an Act of Parliament "for changing the kirk of Lauder."

The name of the parish of CHANNELKIRK is obscure. In the charters of the 12th and 13th centuries, the word is written *Chyldinchirche* and *Childincirch;* which evince that Channelkirk is a mere modern corruption (*u*). The affix to the original term is obviously the Saxon *circ, cyrc,* cyric, the old English kirk, the Anglo-Norman church. It is more than probable that the original name of the place, which is significantly marked by the site of the Roman camp, was *childin,* which may have been left here by the Romanized Ottadini, with other names that still remain, as we have seen, in their British forms; and of course, the Cambro-British word is plainly *cil-din,* signifying the retreat, or chapel, or church, at the fort. Now the fact is that the church and hamlet actually stand within the area of a Roman camp (*x*). A church probably existed on this singular site even before the epoch of record. By the grant of David I., Hugh Morville became proprietor of this mountain district and the advowson of the ancient church. Hugh Morville, in gratitude to his benefactor, perhaps as much as from motives of piety, soon after gave to the canons of Dryburgh, which had been founded by David, the church of *Childinkirc*; and this donation of Hugh Morville was confirmed by his son Richard Morville, after the death of Hugh in 1162, and was approved by Malcolm IV. (*y*). The canons of Dryburgh retained this church till the Reformation introduced a very different management. The abbot of Dryburgh entered into an agreement with the master of the hospital of Soltre, which Malcolm IV. had founded, with respect to the tithes and other dues that the hospital ought to pay yearly to the abbot, in right of the mother church of *Childinkirk,* out of the lands of *Sulerichnes* near Wedaleford, as well from the grain raised by the proper cultivation of the master of the hospital, as from his other moveables in the same lands; and those dues were agreed to be paid by the master of Soltre annually, to the abbot of Dryburgh, with a pound of pepper and another of cumin, in recognition of the mother church of Childin-kirk (*z*). Though this parish lies in the hilly district of Upper Lauderdale, the church seems to have been early of some value. It was valued in the ancient *Taxatio* at forty marks. There were of

Unprinted Act of that date. About one half of the parishioners reside in the burgh of Lauder, and the seceders in this parish, though few in number, support a minister for themselves, who thus enjoy their own peculiarities, principles, and practices. For more particulars, the inquisitive reader may see the Stat. Acco., i., 72, and the *Tabular State* annexed.

(*u*) On Pont's Map of Lauderdale, in Blaeu's *Atlas Scotiæ,* the name is *Chinailkirk*; and in the parish records, which are preserved as far back as 1650, the name is *Chingel*-kirk.

(*x*) Roy's Milit. Antiq., pl. vi.

(*y*) Chart. Dryb., 1-2.

(*z*) A copy of that agreement is recorded in Chart. Soltre, 48, and in Chart. Dryb., 48.

old in this parish two chapels, which were subordinate to Childinkirk; the one at Glengelt (*a*), and the other at Carfrae (*b*). The rights of mother churches, which in ancient times were carried full far enough, were all abolished by the Reformation; when such chapels were neglected for greater objects (*c*). [The parish church, erected in 1817, has 181 communicants; stipend, £298].

The parish name of MERTOUN is merely the Saxon *Mere-tun*, the habitation at the marsh or pond. This name is very common from so usual a circumstance, among the fens in North and South-Britain. The *Mere*, which furnished a name to this place, has been improved into glebe. The marsh here is supposed to have been chiefly drained by a rivulet which flows from Lochflat, by the east of the church, and falls into the Tweed below the mansion-house of Mertoun. The Abbey of Dryburgh was founded by David I. within this parish; and this munificent founder gave the parish church with its pertinents to his favourite canons of Dryburgh (*d*). In the ancient *Taxatio* the church of Merton, within the deanery of the Merse, is rated at forty marks. While the church thus belonged to the canons of Dryburgh, the cure was served by a vicar (*e*). The church of Mertoun continued to belong to the canons of Dryburgh till the Reformation introduced a very different regimen (*f*). [The parish church was erected in 1658, and repaired in 1820. Communicants, 191; stipend, £304.]

The name of the parish of EARLSTON is plainly a modern corruption of the celebrated appellation of *Ersildun*. In the charters, from the 12th century to the 16th, the name is written *Ersildun*, Erseldon (*g*). It may be derived from the Cambro-British *Arcwl-dun*, signifying the prospect hill. The church and

(*a*) Henry de Murdeville, who enjoyed the lands of Glengelt, during the reign of William the Lion granted to the canons of Dryburgh an indemnity that the chapel of Glengelt should not injuriously affect the mother church of Childin-kirk. Chart. Dryb., 139.

(*b*) In the 13th century, John de St. Clair, who possessed the lands of Carfrae, granted an indemnity to the canons of Dryburgh that his chapel of Carfrae should not injure the mother church of Childinkirk. Ib., 143.

(*c*) For modern notices of Channelkirk the inquisitive reader may consult the Stat. Acco., xiii., 384, and the *Tabular State* annexed.

(*d*) Ch. Dryb.; Dug. Monast., ii., 1054.

(*e*) In 1483, Dene David Dewar, the vicar of Mertoun, had some pretensions to the Abbey of Dryburgh, and in this character he leased to Adam Bell the tithes of the church of Salton, which Bell collected; and being prosecuted in parliament by the abbot, Bell brought his action against the vicar. On the 23rd of January 1488-9, the lords found that Dene David being a *spiritual* person, and the abbacy litigious, the abbot ought to summon him before the spiritual judge. Parl. Rec., 352.

(*f*) For more recent particulars of that parish, see the Stat. Acco., xiv., 586, and the *Tabular State* annexed.

(*g*) In Pont's Map of the Merse, during the reign of Charles I., the name appears in the form of *Ersildun*.

village of Earlston stand on the east side of the Leader, having on the south a hill, which commands an extensive view over that riveret and the Tweed. The corrupted name of Earlston is attributed, by popular tradition, to the supposition that the Earl of March had of old resided here. But though those Earls do not seem to have ever had a residence at this place, they were undoubtedly the principal proprietors of Ersildun, from the 12th century till 1435, when they incurred a forfeiture. David I. sometimes resided here (*h*). In the 12th century, however, the family of Lindsay held the manor of Ersildun (*i*). The donations of the Lindsays to the monks of Coldingham were confirmed by Richard, who ruled the See of St. Andrews from 1168 to 1177 (*k*). William de Lindsey conferred on the canons of Dryburgh two bovates of land in the parish of Ersildun (*l*). The Lindseys, who were thus bountiful, seem to have retired from Ersildun at the conclusion of the 12th century, when the Earls of Dunbar became here more conspicuous. Patrick, the Earl, the son-in-law of King William, confirmed to the monks of Coldingham the church of Ersildun (*m*). There was a perambulation soon after for settling Earl Patrick's boundaries of Ersildun, with the monks of Dryburgh's grange of Kedslie, on the western side of the Leader (*n*). Earl Patrick dying in 1332, his son, Patrick, granted the same monks a confirmation of the limits between his territory of Ersildun and their grange of Kedslie (*o*). Those opulent barons seem to have granted

(*h*) In 1136, David I. gave to the monks of Melrose the lands of Melrose, Eildon, Darnick, Gattonside, a fishing in the Tweed, and the use of his forest between the Gala and the Leader, by a charter dated, "apud ercheldon in junio." The witnesses were Henry, his son, John the bishop, William, his nephew, William, the chancellor, Madd, Comes, with other men of the country; such as Gospatrick, the Earl, Ulfchil, the son of Ethelstan, Osolf, the son of Huctrix, Maccus, the son of Unwin, Hutred, the son of Sioth, Huctred, the son of Gospatrick, Orm, the son of Eilaf, Eilaf, the son of Gospatric, Edulf, the son of Norman, Osolf, the son of Edin, Osolf, the son of Elfstan, Robert Brus le Meschin, [younger] Radulf, the son of Turstan. Roger, the nephew of the bishop. Diplom. Scotiæ, pl. xiv. Earl Henry's charter confirming this, was granted at *Ercheldun*, in presence of the same witnesses; but Gospatrick is called the son of Gospatrick. Chart. Melrose, 55; Hutch. Northumb., i., App. 3.

(*i*) Walter de Lindsay, who lived under David I., granted the church of Earlston to the monks of Kelso, who, in 1171, exchanged it with the monks of Coldingham for the church of Gordon. The monks of Coldingham procured from William de Lindsay, the son of Walter, a confirmation of the church of Earlston. Chart. Cold., 19-71. (*k*) Ib., 42.

(*l*) Chart. Dryb., 83. The Lindseys gave the same canons Kedslie. Ib., 76-7.

(*m*) Chart. Cold., 12. About the same time Earl Patrick gave the monks of Dryburgh Elvinsby, two bovates of land in Ersildun, with a toft, a croft, and pasturage for 100 sheep, 12 oxen, 12 swine, and two horses. Chart. Dryb., 82.

(*n*) Ib., 80. (*o*) Ib., 81.

various portions of their domain of Ersildun to several tenants in fee. The most remarkable of all those tenants was Thomas the Rymer, the earliest poet of Scotland, who flourished here during the latter half of the 13th century (*p*). Earlston appears now to have followed the fate and the forfeitures of the successive Earls of Dunbar. In February 1505-6, the king and parliament dissolved the annexation of the barony of *Ersildon* to the crown, in order that it might be given to a favourite (*q*). It was, on the 4th of March 1505-6, granted by James IV. to Mungo Home (*r*). John Home and his son Mungo had established their residence at Coldenknows on the Leader, below the village of Earlston three quarters of a mile; and from this circumstance became known, in the tradition of the country, by the designation of Home of Coldenknows (*s*). The church of Earlston has undergone as many changes as the barony. It was given, as we have seen, at the middle of the 12th century by Walter de Lindsey to the monks of Kelso (*t*). It was by them, with the church of St. Laurence at Berwick, transferred in 1171 to the monks of Durham at Coldingham, in exchange for the church of Gordon (*u*). It was confirmed to them by the lord of the manor, and by the diocesan, Richard, the bishop of

(*p*) Chart. Soltre, 24; Fordun, l. x., c. 43. Popular tradition tells us that Thomas the Rymer lived in a tower at the west end of the village of Ersildun, the ruins whereof may still be seen by willing eyes. A stone which is built into the front wall of the church, says the minister, bears this inscription:

"Auld Rhymer's race
Lies in this place."

(*q*) Parl. Rec., 523.

(*r*) Dougl. Peer., 346, who quotes the charter in the Pub. Archives for the grant of Ersildun. James IV. seems to have already given Earlston, before the passing of that act, to the father of Mungo Home. In 1489, John Home of Whiteriggs, the second son of Alexander, the apparent heir of Home, and the father of Mungo, obtained from James IV. a charter, "terrum et villæ de Ersilton." Ib., 346, wherein the charter is quoted. It should be recollected that the Homes, in the year before, 1489, had greatly contributed to dethrone and slay James III. on Stirling field, whereby the granter of those charters ascended the bloody throne of his father at the age of sixteen.

(*s*) Their lineal descendant, Sir James Home of Coldenknows, succeeded in 1636 to the earldom of Home, upon the death of Earl James without issue. The Kirktown of Earlston had, on the 1st of February 1590-1, been made *a burgh of barony* in favour of John Home of Coldenknows, the great grandson of Mungo; and the grant of James VI. was confirmed in 1592. As a *burgh of barony*, Earlston has two annual fairs; one of great resort on the 29th of June, for sheep, cattle, and horses; and the other on the third Thursday of October, for cattle and horses. Stat. Acco., iv., 252.

(*t*) Chart. Cold., 19. (*u*) Ib., 71.

St. Andrews (*x*). The church of Earlston was valued in the ancient *Taxatio* at 40 marks. This church continued with the monks of Coldingham to the Reformation, which introduced a very different system (*y*). [The present parish church was erected in 1736, and repaired in 1834-5. Communicants, 530; Stipend, £298. The U.P. church has 352 members; Stipend £350 with manse].

The parish of LEGERWOOD has a name, singular and obscure. In the ancient charters of the 12th and 13th centuries the word was written *Legerdewode, Legeardwode, Legerdeswode. Legere,* in the Saxon, as we may learn from Somner, signifies secondarily, *sepultura,* burial; hence *Legerstow* means *coemeterium,* the burial place, the church-yard; and we may thus infer that *Leger*wode must mean, literally, burial wood. It is in vain to quest for the particular circumstance which gave rise, in the Scoto-Saxon, to such a name for such a wood. About the year 1160, Malcolm IV. granted to *his stewart,* Walter, the son of Alan, Birchenside and *Legerdeswode,* by the same boundaries as they had been held by his grandfather David in *his demesn* (*z*). Walter, the son of Alan, granted the church of *Legerwode* with its pertinents to the monks, whom he brought from Shropshire to Paisley (*a*). This grant was confirmed by Malcolm IV. and his successor William (*b*). It was confirmed by the diocesan, Richard, who ruled the see of St. Andrews from 1163 to 1177 (*c*). It was ratified by several of his successors (*d*), and it was made still more sure by the various bulls of successive popes, from Alexander III. to Clement IV. (*e*). In the ancient *Taxatio* the church of Ligeardwode was valued

(*x*) Chart. Cold., 42. In a charter of Patrick, Earl of Dunbar, soon after 1189, he confirmed to the same monks, with other estates "capella de Ersildun." Ib., 12. It was already a chapel in 1171. It seems to have become a *chapel* from the epoch of Lindsay's grant of the same church to the monks of Kelso. In the chartulary of Coldingham there is an "Index quarandam cartarum de *controversia* pro *capella* de Ercheldun." Ib., 68.

(*y*) It was served of old as a vicarage. There is a letter of Gamelin, the bishop of St. Andrews, "de admissione clerici ad vicariam de Erceldun," upon the presentation of those monks. Ib., 45. In Bagimont's Roll the tenth of the vicarage was rated at £5 6s. 8d. In the tax roll of St. Andrews, 1547, there was recorded the *vicaria de Ersildoun* in the deanery of the Merse. For more recent notices of this parish, see the Stat. Acco., iv., 248, and the *Tabular State* annexed.

(*z*) Diplom. Scotiæ, pl. xxii. Birchenside lies on the Leader, in the western division of Legerwood parish. Walter, the third *Stewart,* and the grandson of the first, gave the lands of *Birchenside* in marriage with his daughter Euphemia, to Patrick, who succeeded as Earl of Dunbar in 1232. The Countess Euphemia in her widowhood, by the death of her husband in 1249, gave the monks of Dryburgh a mark of silver, from her firms of her marriage lands of Birchenside. Chart. Dryb., 15. Robert the Stewart, who succeeded to the throne in 1371, granted to Alan de Lauder, his tenant of Whiteslade, many manorial rights in Birkenside, *Legeardwode,* and Morristown, and within this parish; and this grant was confirmed by King Robert II., on the 13th of June 1371. Roberts. Index, 93. (*a*) Chart. Paisley, 7-9. (*b*) Ib., 8-10. (*c*) Ib., 13. (*d*) Ib., 16, 17, 18. (*e*) Ib., 11, 12, 152.

at forty marks. The church continued with those monks who served the cure, by a vicar, till the Reformation established a different practice (*f*). On the 28th of August 1296, Walter, the vicar of Legerwode, swore fealty to Edward at Berwick (*g*). On the 30th of May 1453, Thomas de Fersith, the vicar of Legerwode, obtained from the English king, a passport for three years, to visit as a pilgrim the shrine of the apostles (*h*). The church and manse of Legerwood are modern, and are situated about half a mile eastward of the old village of Legerwood (*i*). [The parish church is of unknown date, but was extensively repaired in 1717 and 1804. Communicants 164 ; stipend £321].

The parish of GORDON derives its Celtic name from the appellation of the ancient territory of *Gordon*. During the 12th and the two following centuries this word was written in charters, *Gordun* and *Gordyn*. The original term was probably *Gor-din*, signifying *upon the hill* (*k*). In fact there are two villages called West-Gordon and East-Gordon, which are distant somewhat more than a mile ; and which both stand on the summits of their several hillocks ; and at West-Gordon stands the church, near some remains of an ancient fortlet. The church of Gordon was originally dedicated to St. Michael the archangel. The monks of Coldingham acquired the advowson of Gordon during the reign of David I. In 1171, according to the spiritual traffic of that pious age, they exchanged the church of Gordon with the monks of Kelso, for the chapel of Earlston and the church of St. Lawrence at Berwick (*l*). Richard, the diocesan bishop of St. Andrews, who died in 1177, confirmed to the monks of Kelso the church of Gordon, with the entirety of

(*f*) Bishop William, who ruled the see of St. Andrews from 1202 to 1233, confirmed to the monks of Paisley, for their proper use, the church of Legerwood, which, by his episcopal authority, he ordained thus : That the *vicarius de Legerwode* should have for the vicarage the whole altarages besides the land, saving the possession of Robert, the king's chaplain, who, according to what he had ordained with the monks' assent, was to enjoy the church during his life, rendering to the monks yearly £15 in money in the name of pension. Chart. Paisley, 15.

(*g*) Prynne, iii., 666. (*h*) Rym., xi., 338.

(*i*) See the Maps of this Shire. For other particulars, the inquisitive reader may consult the Stat. Acco., xvi., 484, and the *Tabular State* annexed.

(*k*) There is in Carnarvonshire a place called *Gorddin*-og, the final *og* being the Welsh diminutive.

(*l*) Chart. Cold., 71. At the epoch of that exchange, Richard de Gordon, who then held the territory, granted to the monks of Kelso and to the church of St. Michael at Gordon, in *free alms*, a piece of land lying adjacent to the churchyard at Gordon, and an acre of land upon Todlaw, and an acre of meadow in Hnndley-strother ; and he conceded to the monks that whatever chaplain they should place in the church of Gordon should have the usual privilege of pasturage within his territory of Gordon, as his own men enjoyed the same. Chart. Kelso : and the Charter is copied into the Hist. of the Gordons, i., 385.

the parish of Gordon and of Spottiswoode, which it enjoyed, on the same day that the cemetery was made, at the request of the abbot of Kelso. Yet did he provide, that as long as the abbot and his monks pleased, the people of the other Gordon might take the sacrament and bury their dead, either here or at the mother church of Home as they might think proper (*m*). In the ancient *Taxatio* the church of *Gordyn* was rated at thirty marks. The diocesan, Gamelin, on the 27th of May 1270, granted to the monks of Kelso that the churches of Gordon and Home, which they enjoyed to their proper use, should be served, not by vicars, but by honest chaplains and sufficient clerks, for whom he and his successors might be able to answer (*n*). The church of Gordon continued in the hands of the monks of Kelso till the Reformation. In the ancient parish of Gordon, which comprehended the present parishes of Gordon and Westruther, there were of old several chapels. In 1309, the monks of Kelso agreed that Sir Adam Gordon might have a private chapel at any place within the parish of Gordon, with all oblations; yet without prejudice to the mother church. In return, Sir Adam renounced all claims on a carucate of land, with its usual easements, in the district of Westruther, which had been granted to those monks by Sir Andrew Fraser, and for which they had agreed to pay two marks yearly (*o*). There was also a chapel at *Huntleywood*, within the parish of Gordon, which was dedicated to the Virgin Mary, and the advowson of which appears to have passed into the family of Home during the reign of James IV. (*p*). During the reign of David II. John de Spottiswoode built a chapel, which was called Whitechapel, at his hamlet of Spottiswoode; the ruins

(*m*) Chart. Kelso, 417; Hist. Gordons, i., 400. The church of Gordon was also confirmed to the monks of Kelso by bishop Roger, who finished his useful life in 1202. Ib., 82. The ancient parish of Gordon which was thus established, was double the extent of the present parish of Gordon and the greater part of Westruther.

(*n*) Chart. Kel., 426; Hist. Gordons, i., 400. When the monks drew up a state of their temporal matters under Robert Bruce, they stated that they had the church of Gordon to their own use, which used to be valued at £20 a year. Chart. Kelso, 32. They also stated that they had at Gordon, half a carucate of land pertaining to the church, with pasture for a 100 young cattle and 400 sheep, and they had here a toft whereon to build a mansion house for the chaplain. Id. They had other property and easements at Gordon, for which they yearly paid two marks to the Lords of the manor. Ib., 19-20.

(*o*) Chart. Kelso, 124. On that land the monks had various kinds of property, that were of great value to them. Ib., 19-20.

(*p*) On the 26th January 1506-7, Alexander, the Earl of Huntley, resigned into the king's hands the lands of East Gordon, with the patronage of St. Mary's chapel at *Huntleywood*; and thereupon the king granted the same to Alexander, Lord Home. Dougl. Peer., 345.

whereof were to be seen during late times (*q*). The parish church stands on the north side of the village of West-Gordon. The patronage of the church had long been in the king. Yet in 1767 the Earl of Home claimed before the Court of Session the same right of patronage, without being able to support his suit (*r*). The territory of Gordon, which was anciently of great extent, appears to have been granted during the reign of David I. to an Anglo-Norman settler, who assumed from it the surname of *Gordon* (*s*). He left two sons, Richard and Adam, who enjoyed his lands of Gordon during the reigns of Malcolm IV. and his brother William. Richard inherited the principal part of the territory of Gordon; while Adam enjoyed some portion of Gordon, with the lands of Fans, lying on the southern side of the territory of Gordon (*t*). Alicia de Gordon married her cousin, Sir Adam Gordon, the grandson, probably of Adam, the brother of Richard, and thus united the two branches of this munificent family, and thereby re-uniting their whole estates (*u*). Of this marriage was Adam of Gordon, who inherited all those estates, and died during the troublous year of 1296, fighting probably for his country's independance (*x*). Adam and Margery left a son, Adam, to inherit their estates, and to support their country's cause during difficult times. He appears to have

(*q*) Dougl. Baron., 446. (*r*) Stat. Acco., v., 92.

(*s*) There appears to have been a manor of *Gordon* in Normandy, which was possessed during the 12th and 13th centuries by a family who took their name from their lands. Hoveden, 791; Rym., i., 92-411-760. Douglas has absurdly mingled the Normandy Gordons with the Berwickshire Gordons. Peer., 295-6.

(*t*) Chart. Kelso, 117-18-19. Richard de Gordon granted to the monks of Kelso some land at Gordon, near the cemetery, a right of pasturage, an acre of ground at Todlaw, and an acre of meadow in Huntleystrother. Ib., 117. Richard de Gordon was succeeded by his son Thomas, who confirmed the grants of his father. Ib., 125; and, dying under Alexander II., Thomas was succeeded by his son Thomas, who dying soon after 1258, and leaving by his wife Margery an only child, Alicia, she inherited his estates. Ib., 119. The second Thomas confirmed the grants of his father, and added his own. Ib., 126. He conferred on them some other lands, with a part of his *peatary* called *Brun-moss*, the liberty of taking timber from his woods, and of pulling heath anywhere within his estates. The monks in return gave the liberal Sir Thomas Gordon the right of burial in the cemetery of the Abbey of Kelso. Ib., 120-21. He was alive on the 28th of August 1258.

(*u*) Adam de Gordon granted a peatary in his estate of Fans to the monks of Dryburgh. Chart. Dryb., 146; and Alicia, during her widowhood, after the death of her husband in the Holy Land, during the year 1270, granted a confirmation of former charters to the monks of Kelso. Chart. Kelso, 110.

(*x*) On the 3rd of September 1296, Margery, the widow of Adam de Gordon, obtained restitution of their estates, having swore fealty to Edward I. Rym., ii., 727.

extended his estates far into the north and into the west, planting the principal branch in Aberdeenshire, and the inferior in Galloway. Sir Adam who appears to have been a statesman and a soldier, fell, at length, on Halidonhill in the grievous year 1333, leaving to his eldest son, Sir Alexander Gordon, the estates of Gordon in Berwickshire, with the lordship of Strathbogie in Aberdeenshire, and to his son William, Stitchel in Roxburghshire, and the Glenkens in Galloway. Thus to Sir Adam Gordon, who supported Bruce, the restorer of the monarchy, and died for his infant son David, the Duke of Gordon, and the Viscounts of Kenmare trace up their several descents. The worthy descendants of Sir Adam Gordon continued to possess their original estates in Berwickshire till the reign of James I., and the odious administration of the regent Albany (*y*). [The parish church was erected in 1763 and repaired about 1835; communicants 323, stipend £241. A Free Church has 147 members.]

The parish of WESTRUTHER is modern. In the 17th century it was formed by uniting to the parish of Bassendean the lands of *Westruther* and the ancient territory of Spottiswoode, which had belonged to the parish of Gordon (*z*). The church of Bassendene does not appear in the ancient *Taxatio*. It was then only a chapel belonging to the nuns of Coldstream. At the epoch of the Reformation, the church of Bassendene was merely a vicarage, which was served by a vicar (*a*). In 1647 the lands of *Westruther*, Spottiswoode, and others, were, upon a representation of their distance from the church of Gordon, annexed to the parish of Bassendene (*b*); and a new church having been built soon after, upon a more central site at the village of *Westruther*, gave its obscure name to the parish. This appellation appears in charters of the 12th century in the form of Strother and Struther, and appears frequently in the topography of the south and east of Scotland, but not in England. Its meaning is indicated by its uniform application to marshes,

(*y*) Roberts. Index, 163. For more recent notices of the parish of Gordon, see the Stat. Acco., v., 38, and the *Tabular State* annexed.

(*z*) The name of *Bassendean* was derived from the Saxon *Basing*, locus pugnæ, and dene, a valley; whence the many names of Basing-stoke, Basing-field, Basing-ham, Basing-thorpe, and others.

(*a*) Soon after that epoch, Andrew Currie, vicar of Bassendene, conveyed to William Home, the third son of Sir James Home of Coldenknows, "terras ecclesiasticas, mansionem, et glebam vicariæ de Bassendene;" whereon Home obtained from James VI. a charter for the same, on the 11th of February 1573-4. William, who thus built his house on church lands, was the progenitor of the Homes of Bassendene. Dougl. Peer., 347.

(*b*) The church of Bassendene stood near the mansion-house, on the south-east, and the walls still enclose the burying-place of the Homes of Bassendene. Stat. Acco., vii., 109.

turbaries, and to swampy places (*c*); and in this instance, the name was applied to an extensive swamp, in the bosom of which the village was placed. Now, this swamp was denominated *West-Strother*, in contradistinction to another extensive marsh, at some distance, eastward, which is now called Dogden-*moss* (*d*). The subsequent history of the parish is as obscure as the origin of the name (*e*). [The parish church was erected in 1649, repaired in 1752, and rebuilt in 1840. Communicants, 193; stipend, £180. A Free Church has 107 members]. This much with regard to the parishes in Lauder presbytery.

Within the neighbouring presbytery of Kelso, there are two ecclesiastical districts that are now to be particularly mentioned. The name of the parish of NENTHORN is obviously a corruption of the ancient appellation which, in the charters of the 12th, 13th, and 14th centuries, is written *Naythansthirn*. The prefix is unquestionably the name of a person, and the termination or affix may be regarded as the Saxon *thyrn*, a thorn. The late minister of the place

(*c*) As *Struthers* in Kinloss, Strnthers, the seat of Lord Crawford, in Fife; Stock-*struther*, on the Tweed. During the reign of William the Lion, David de Lyne granted to the monks of Newbotle a peat moss called Ulue-*strother* in Mid Lothian. Chart. Newbotle, 23.' During the same reign Alexander de St. Martin granted to the same monks a peat-moss called Crumber-*struther*, in East Lothian. Ib., 108. As early as the reign of Malcolm IV., the word *strother*, for a *meadow* or *marsh*, had passed into the common speech of the southern shires. There is a very instructive charter of Malcolm, in 1159, to the monks of Kelso, wherein he confirms to them Traverlin "cum omnibus aisiamentis vicini *Strodre*, quod camer i dicitur." Diplom. Scotiæ, pl. xxv. Yet *Strodre*, *Strother*, Struther, appear not in any of the Scottish Glossaries. We have seen that it means, in fact, a moss, a marsh, a meadow, or any moist place; but it is not easy to etymologize this singular word, which seems to remain only in the topography of Scotland. Bullet has collected *staer*, *ster*, *sten*, for a river, water in general, a fountain, a stank; and he found in Thomasin *stur*, in the ancient Saxon, for a river, though he could not find the word in Spelman, in Somner, in Gibson, in Hicks, nor in Skinner. Bullet might, however, have found in Skinner *Stur*-bridge, in com. Cantab. (i.e.) Sturi fluvii pons. *Stour* in Dorset rises near *Stur*-ton, and runs by *Stur*-minster. Stour in Worcester runs by *Stur*-bridge and Kidderminster. Stoure in Kent runs by Ashford and Canterbury, and forms Thanet into an island by two mouths; and at the entrance into Thanet, after passing the marshes, is *Sarre*. We may learn, indeed, from Ihre that in the Swedish *Stöer* signifies *palus*, and thus may we probably discover in those ancient but dark passages, the obscure origin of *Stodre*, *Strother*, Struther, signifying *a place of moisture*. In 1371, Alan de *Strother* was the English sheriff of Roxburghshire. Parl. Rec., 119. There seems to have been a family of *Strothers* in England. Ayloffe's Cal., Index.

(*d*) In the 13th century, Adam, the son of Adam de Gordon, granted to the monks of Kelso, "pasturam in *marisco* meo, quod dicitur *West-strother*, pro xxx vaccis et eorum exitui, sive bobus cum animalibus meis, usque ad annum completum." Chart. Kelso, 118. A swamp in the lands of Huntley, on the south-west of Gordon parish, was called, in the reign of William the Lion, Huntley-*strother*. Ib., 117. See all those places in the maps of Berwickshire.

(*e*) For other notices, see the Stat. Acco., vii., 109, and the *Tabular State* annexed.

talked of a thorn which he remembered; and there are on the bank of the Eden, within this parish, two remarkable rocks which are known as the muckle *Thairn* and the little *Thairn*, which a willing mind may connect with the name of the district. If the ancient spelling were Naythans*thorn*, of which there is no example, it might be deemed a corruption of Naythan's *thorp*, of which mutation there are several instances in Scotland and in England. The parish of Nenthorn appears to have been established during the 13th century, and was formed of the ancient manors of Nathansthirn and Newton, which are joined together by a narrow isthmus which is intersected by the Eden. In the 12th century both those manors belonged to the opulent and liberal family of the Morvilles, the hereditary constables of Scotland (*f*); and the lands were held under them by various vassals. To the Morvilles succeeded, as we have seen, the Lords of Galloway, a still greater family, which was equally enfeebled by female heirs. After the death of Alan, the Lord of Galloway, in 1234, Naythansthyrn was inherited by his youngest daughter, Dervorgilla, the munificent wife of John Baliol, from whom it passed to the competitor for a dependant crown; and it was forfeited by his fall on the accession of Bruce (*g*). In the 12th and 13th centuries the territories of Naythanthirn and Newton were served by two chapels; the one at Naythansthirn and the other at Newton, which were both subordinate to the mother church of Ednam, and which, with the mother church, belonged to the monks at Coldingham (*h*).

(*f*) Hugh, the first Morville, gave to the monks of Dryburgh the tenth of the multure of the mills of Naythanthyrn and Newton, with half a carucate of land in Newton, with pasture for nine oxen and one work horse. Chart. Dryb., 64-153. William, the bishop of St. Andrews, the diocesan, in 1281, confirmed to those monks the tenth of the multure of those mills. Ib., 113-14.

(*g*) John, the King of Scots, confirmed to the monks of Dryburgh the *tenth* of the multure of the mill of Nathansthirn, for the salvation of the soul of Hugh Morville, of his own soul, and of the soul of his wife Ada. Chart. Dryb., 112. Between the years 1388 and 1400, Richard de Haganside, a vassal of *the Earls of Douglas*, gave to the monks of Kelso all his land, "in territorio villæ de Litel Newton, in *constabulario de Lauder*." Chart. Kelso, 489. This description evinces that Newton and perhaps Nathansthyrn, though they lay without the limits of Lauderdale, were comprehended in the *Constabulary of Lauder*, which thus seems to have comprehended all the lands in Lauderdale, that had belonged to the Morvilles and their successors, and were granted by Robert Bruce to Sir James Douglas. Roberts. Index, 10.

(*h*) Robert, the diocesan, who ruled St. Andrews from 1128 to 1158, confirmed a convention between the mother church of Ednam and the chapel of Newton. Chart. Cold., 41. Arnold, the succeeding diocesan, confirmed to those monks the church of Ednam, and the chapels of Naythanthirn and Newton. Id. In 1204, those monks made a composition with William, the bishop of St. Andrews, "*super Con* et *Cunereth* concessis episcopo capellis de Newton et Naythanthirn." Ib., 91.

The church of Naythansthirn, as it thus belonged to the monks does not appear in the ancient *Taxatio.* Another change had taken place before the year 1316 ; the territories of Naythanthirn and of Newton had been formed into a parish, whereof the chapel of the first was made a parochial church, while that of Newton continued only a chapel. In March 1316-17, William de Lamberton, the bishop of St. Andrews, gave to William de Alyncrom the abbot of Kelso, the *parish church* of Naythanthirn, and the chapel of Little Newton in exchange for the parish church of Cranston in Mid-Lothian (*i*). The church of Naythansthirn and the chapel of Little Newton continued under those influences till the Reformation, which introduced a very different regimen (*k*). [The parish church erected in 1802 has 84 communicants ; stipend £246. A Free church has 176 members.]

The name of the parish of HOME or HUME is obviously derived from the Saxon *Holm*, signifying a hill, which has been perverted by colloquial use into *Howm* and *Hume* (*l*). The castle and village of Home stand on the summit of a conspicuous hill, which rises 898 feet above the level of the sea. The parish of Home, which is ancient, was of old four times the extent of the present district. During the 12th century Home parish included a considerable part of Gordon and Westruther. The patronage of the church of Home, which was dedicated to St. Nicholas, belonged to the Earls of Dunbar, who were of old lords

(*i*) Chart. Kelso, 309. ' The bishop at the same time engaged to pay the abbot 25 marks sterling a year for ten years, in consideration of the above exchange, "et quod dicta ecclesia nostra de Naythanthirn, et capella de Newton, sunt exiles et per communem guerram destructe et devastate." The bishop's obligation is dated at Newbotle, the 17th of March 1316-17. Chart. Kelso, 310 ; and he immediately issued a declaration that the exchange of those parishes was not intended to derogate from the rights of the monks of Kelso. Ib., 311. On the 4th of June 1317, the diocesan issued a precept to *his stewart* of Lothian, directing him to give the abbots and monks of Kelso seisin of the church of Naythanthirn. Ib., 312 ; and two days after, the stewart issued a precept to Henry Stulp, the baillie of Wedale, directing him to give the seisin as commanded. Ib., 313. The archdeacon of Lothian gave the abbot and monks an assurance that in future no procurations should be required of the church of Naythanthirn and the chapel of Little Newton. Ib., 314. Such are the facts which show clearly how such spiritual matters were transacted in those times.

(*k*) See the Stat. Acco., vi., 336, and *Tabular State* annexed, for other notices.

(*l*) *Holm* in this sense, which must not be confounded with the Saxon *Holm* signifying a river island, is frequent in the maps of Scotland and of England. See Somner, in vo. *Holm*, collis, mons, clivis. Gibson, in his *Regulæ Generales*, which are annexed to his Saxon Chronicle, only notices *Holm, Howme*, for little islands, moist meadows ; and in this sense the Scottish lyrists have celebrated in song, " The Dowie *Howns* of Yarrow." In the other sense, however, there are *Home* in Shropshire, *Home* and *Home* Lacy in Herefordshire.

of the manor of *Home* (*m*). The monks soon after obtained a confirmation by the diocesan, Bishop Robert, who died in 1159, of the church of Home, with the whole parish, the village, and also a part of Gordon (*n*). The monks having obtained by exchange the patronage of the chapel of Gordon in 1171, obtained the territory of Gordon and a large part of Westruther, to be erected into a separate parish, by Bishop Richard, who, on that occasion, gave the people of that part of Gordon, which belonged to Adam Gordon, liberty to take the sacrament, and to bury their dead either at the church of the new parish, or at the mother church of Home, as long as it should please the monks of Kelso (*o*). By this measure the old parish of Home was nearly reduced to its present limits. The mother church of Home, however, retained its superiority over the chapel of Wederley, which continues to serve the inhabitants of the lands of Wederley in the present parish of Westruther (*p*). In the ancient *Taxatio*, the church of Home was rated at the reduced value of 24 marks. After all those transactions, and that traffic of churches and chapels, the Reformation introduced into this parish, as into other districts, a very dissimilar regimen (*q*). [This parish was in 1640 annexed to Stitchel in Roxburghshire.]

The parish of COCKBURNSPATH, lying on the northern verge of Berwickshire, within the presbytery of Dunbar, comprehends the ancient parishes of *Aldcamus* and of *Colbrandspath*. *Ald-camus* derives its name from the Gaelic *ald*, and *camus*, a creek or bay, and the village in fact stands on a streamlet,

(*m*) During the reign of Malcolm IV., Earl Cospatrick gave to the monks of Kelso the church of *Home*, with two carucates of land, and the meadow called Hare-*strother*, within the same parish. Ch. Kelso, 70, 286. Earl Cospatrick also granted to the same monks the church of St. Nicholas, of Home, a carucate of land, and the village, and the half of Gordon. Ib., 287.

(*n*) Ib., 82. (*o*) Ib., 417.

(*p*) *Wederley* derives its name from the Saxon *Weder*, a castrated ram, the wether of the English; and *leaz*, or leay, or lea, or pasture. It was formerly the name of a small territory and village, which belonged in 1258, to Robert de Poulsworth, knight. Chart. Kelso, 301; and it continues the name of an estate and mansion-house in the parish of Westruther. How all those lands passed from the Earls of Dunbar, by a daughter Ada, who was the mother of *the Homes*, we have already seen. In the reign of William the Lion, Gilbert, the son of Adam of Home, gave to the monks of Kelso the chapel of Wederley, with ten acres of land, with pasture for sheep and cattle. Chart. Kelso, 298. About this chapel there are several documents in the same chartulary, the monks taking care the *mortuaries* for the dead, which might be buried at Wederley, should belong to the mother church of Home. Ib., 299-300. The monks obtained from the diocesan David, who ruled St. Andrews from 1233 to 1253, a right to hold the chapel of Wederley to their proper use, provided the cure should be served not by a vicar, but by a clerk, for whom he and his successors should be answerable. Ib., 452. There is a bull of Innocent in the 13th century, respecting the churches of Hornden and Wederley. Ib., 466.

(*q*) For other notices, see the Stat. Acco., iii., 290, and the *Tabular State* annexed.

which, at no great distance below, falls into an *inlet* of the sea (*r*). The Scottish Edgar granted to St. Cuthbert's monks of Durham the manor of Aldcamus, with the lands, woods, waters, tolls, shipwrecks, and other customary dues which appertained to that manor (*s*), and Aldcamus thenceforth belonged to the monastery of Coldingham as a cell of Durham. The church of Aldcamus was dedicated to St. Helen, the mother of Constantine, whose festival was on the 18th of August (*t*); and its ruins are still called St. Helen's-kirk (*u*). This was a *vicarage*, as we might suppose, from the circumstance of the church being the property of the monks of Coldingham. In the ancient *Taxatio* the vicarage of Aldcamus is rated only at 15 marks (*x*). On the 28th of August 1296, Huwe, the vicar of the church of Aldcamus, swore fealty to Edward I. at Berwick (*y*). In 1446, some doubts were entertained whether the vicarage of Aldcamus was absolutely annexed to the priory of Durham. Now Eugene, the pope, empowered the abbot of Melrose to examine the point; and the abbot appears to have confirmed the union of the church of Aldcamus to the priory of Coldingham (*z*). Aldcamus parish was annexed to the adjoining district of Cockburnspath in modern times. When Pont surveyed Berwickshire during the reign of Charles I., Aldcamus seems, at that period, to have been separate. Those two parishes were united sometime before the year 1750; and the church of Aldcamus, which stood near the sea-shore, was a ruin before the year 1770. The name of *Cockburn's*-path was anciently *Colbrand's*-path (*a*). The corruption of the old name began, however, as early as 1506 (*b*). The original name was nothing more than the *path of Colbrand*, the name of some particular person (*c*). The church of Colbrands-path does not appear in the ancient *Taxatio*;

(*r*) The recent map makers have vulgarized this name into *Old*camus, supposing the prefix to be the Saxon *ald* or old, and not the Gaelic *ald*, which is here in fact applied to a rivulet, that it signifies; and it is compounded with the Gaelic *camus*, which is also applied to the inlet here; and both those significant words are joined together in the Celtic form of construction.

(*s*) Diplom. Scotiæ. pl. vi.

(*t*) Eng. Martyrologie, 186; L'Art de verefier les Dates, in the Catal. of Saints.

(*u*) The minister of the parish says, "From the nature of the building and other circumstances, the church is supposed to have been erected in the *eleventh* century." Stat. Acco., xiii., 231. We have seen above that Edward granted the manor, but not the church of Aldcamus, whence we may be led to doubt whether the church then existed.

(*x*) In the Chartulary of Coldingham there is an "estimatio valoris vicariæ de Aldcamus." There is also an obligation in 1249 of William, the vicar of Aldcamus, "in viginti quatuor solidos pro securitate warrene Prioris." Chart. Cold., 20.

(*y*) Prynne, iii., 659. (*z*) MS. Abstract of the Chart., 77-92.

(*a*) Charters of the 12th, 13th, 14th centuries throughout call it *Colbrandspath*. (*b*) Parl. Rec.

(*c*) Tradition talks of Colbrand, a Danish general, who performed some action here. There is a hamlet at the top of the ascent by that path called *Pathhead*. The Kirktown stands in the north-west corner of Berwickshire, near the march with East Lothian.

as it was, perhaps, then only a chapel; and it seems never to have been connected with any religious house. The patronage of the church appears to have remained with the lord of the manor, till its union with Aldcamus. The territory of Cockburnspath belonged of old to the Earls of Dunbar, where they had a castle, in which they sometimes resided (*d*). This manor followed the fortunes of its lords. On the forfeiture of the earldom of Dunbar in January 1434-5, it was annexed to the crown (*e*). It was granted in 1453, to his infant son, Alexander, the Duke of Albany. In 1483, Cockburnspath, as a part of the earldom of Dunbar, was forfeited, by the Duke of Albany. In 1487, the earldom of March, the baronies of Dunbar and Cockburnspath, with the castle of Dunbar and the fortalice of *Colbrandspath*, and the advowson of the churches, prebends, and chapelries, to the same belonging, were annexed to the crown by act of parliament (*f*). The earldom of Dunbar, and the lordship of Cockburnspath, were settled, by James IV., on the princess Margaret, as a part of her dower, with the usual grant of the *churches*, *prebends*, and *chapels* (*g*). But, the Reformation introduced here, as into every other district, a very different regimen (*h*). [The ancient parish church was repaired in 1875-6. Communicants 240; Stipend £345. A Free Church has 92 members and a U.P. church at Stockbridge has 193 members.] Thus much, then, as to the one-and-thirty parishes, in Berwickshire, which are comprehended in the presbyteries of Chirnside, Duns, and Lauder, Kelso, and Dunbar.

After all those notices, with regard to the *Ecclesiastical History* of Berwickshire, the *Tabular State*, which is annexed, will be found to be an *useful supplement*; as it contains much information, in a little compass, on very interesting topics.

(*d*) George. Earl of Dunbar, granted a charter on the 8th of August 1374, "apud manerium nostrum de Colbrandspath." MS. Col. of Charters. In 1401, there was a park and a wood at Cockburnspath. Bower, l. xv., c. 10. While the expatriated Earl resided in England, his Countess wrote to the English king in 1406, complaining that though the plague prevailed around their residence, they could not retreat to her husband's fortress of Cockburnspath, by reason of the enmity of Percy's followers. Pink. Hist. Scot., i., 470. (*e*) Parl. Rec., 72.

(*f*) Parl. Rec., 324. The ruins of the tower of Cockburnspath stand on the western bank of Ewisburn, 7 furlongs south-east of the church of Cockburnspath, and seems to have been a place of strength during ancient warfare.

(*g*) In Rym., xiii., 66, may be seen the act of seisin, 1503, of Margaret, in the earldom of Dunbar and lordship of *Cowburnspecht*, by reason of her marriage. In the body of the act it is called *Caubrandspeth*; and yet the king with the consent of parliament, on the 16th of February 1505-6, granted to Alexander, Lord Home, the Great Chamberlain of his realm, the *dene* of *Cokburnspeth*, from the *brae head* to the *burn-end*, notwithstanding the annexation to the crown. Parl. Rec., 523; but it seems to have been forgotten that the queen was seised of the *dene* of *Coubrandspath*. It was the *Great Chamberlain*, who was the proper guardian of the property of the king and queen, who solicited this grant for some interested purpose.

(*h*) The more curious reader may see other notices in the Stat. Acco., xiii., 221, and in the *Tabular State* annexed. The parliament of 1633 passed an act in favour of the minister of *Colbrandspeth*; and another act on behalf of Mr. James Nicolson of *Colbrandspeth*. See the Unprinted Acts.

THE TABULAR STATE.

Parishes.	Extent in Acres.	Inhabitants. 1755.	1801.	1881.	Churches. Est.	Free.	U.P.	Epis.	E.U.	R.C.	Stipends. 1755. £	s.	d.	1798. £	s.	d.	Past Patrons.	Valuation. 1887-88. £	s.	d.
Chirnside,	5,594	510	1,147	1,516	1	1	1	—	—	—	67	12	2	101	12	0	Hall of Whitehall.	11,730	18	6
Ayton,	6,832	797	1,453	2,037	1	—	2	1	—	—	85	16	11	150	0	0	The King.	15,142	0	6
Coldstream,	8,534½	1,493	2,269	2,561	1	1	—	1	—	—	81	8	4	147	8	0	Lord Binning.	18,401	3	1
Mordington,	3,069¾	181	330	367	1	1	—	—	—	—	56	8	10	96	13	7	Renton of Lamerton.	5,309	7	0
Ladykirk,	3,446¾	386	516	438	1	—	1	—	—	—	72	13	4	112	8	4	The King.	5,331	16	0
Whitsome & Hilton,	4,896¾	399	560	560	1	—	—	—	—	—	95	6	8	157	3	6	The Earl of Wemyss.	7,061	6	8
Swinton and Simprin,	5,571	494	875	964	1	1	—	—	—	—	116	12	8	204	19	2	The King.	8,920	7	1
Foulden,	3,298	465	393	393	1	—	—	—	—	—	53	4	5	124	3	0	Wilkie of Foulden.	4,694	2	0
Coldingham,	24,325	2,313	2,391	3,159	2	2	1	—	—	—	94	17	9	181	9	4	The King.	25,766	17	2
Hutton,	5,645½	751	955	962	1	—	—	—	—	—	67	2	2	132	0	0	The King.	9,006	8	8
Edrom,	9,634½	898	1,355	1,514	1	1	—	—	—	—	76	14	5	120	11	6	The King.	17,375	4	8
Eyemouth,	1,079½	792	899	2,935	1	1	1	1	1	—	57	2	7	124	3	5	The King.	8,911	1	7
Duns,	11,474¾	2,593	3,163	3,353	1	1	3	1	—	1	97	1	9	213	18	3	Hay of Drumellier.	23,307	11	8
Greenlaw,	12,200	895	1,270	1,245	1	1	1	—	—	—	73	0	0	115	0	0	The Earl of Marchmont's heirs.	10,121	4	4
Eccles,	12,488¾	1,489	1,682	1,546	1	1	—	—	—	—	74	3	4	134	0	0	The King.	22,119	16	1
Fogo,	4,669	566	507	468	1	—	—	—	—	—	94	17	6	115	0	0	The King.	7,910	4	2
Longformacus,	19,604½	399	406	385	1	1	—	—	—	—	91	11	8	110	0	0	Home of Longformacus.	6,582	14	0
Abbey St. Bathan's,	4,828	80	138	250	1	—	—	—	—	—	53	11	1	66	0	0	The King.	2,396	15	0
Cranshaws,	8,738	214	166	106	1	—	—	—	—	—	41	9	5	51	19	5	Watson of Saughton.	2,417	12	7
Bunkle and Preston,	9,256½	691	674	726	1	—	—	—	—	—	72	15	6	102	7	8	Lord Douglas.	10,217	2	6
Langton,	7,151	290	428	505	1	1	—	—	—	—	60	11	1	105	13	8	The Countess of Breadalbane.	6,175	4	6
Polwarth,	3,013	251	291	227	1	—	—	—	—	—	61	7	0	128	18	0	The Earl of Marchmont's heirs.	2,318	14	0
Lauder,	34,898	1,795	1,760	1,940	1	1	1	—	—	1	65	8	6	115	12	8	The Earl of Lauderdale.	15,280	7	8
Earlston,	10,009½	1,197	1,478	1,767	1	—	1	—	—	—	87	6	8	133	10	0	The King.	12,240	1	0
Westruther,	14,643¾	591	779	671	1	1	—	—	—	—	63	12	10	105	16	8	The King.	8,175	12	5
Channelkirk,	14,202½	531	640	607	1	—	—	—	—	—	59	17	7	137	10	5	The Earl of Marchmont's heirs.	6,347	19	1
Legerwood,	8,817	398	495	549	1	—	—	—	—	—	62	17	9	101	0	0	Ker of Kersfield.	6,220	6	8
Mertoun,	6,536	502	535	682	1	—	—	—	—	—	67	6	8	111	10	8	Scott of Harden.	9,551	7	0
Gordon,	9,739	737	802	832	1	1	—	—	—	—	73	2	6	140	14	8	The King.	8,798	1	0
Nenthorn,	3,478½	497	395	454	1	1	—	—	—	—	62	4	2	109	12	0	The King.	4,392	9	6
Cockburnspath,	12,951	919	930	1,130	1	1	1	—	—	—	69	9	5	123	5	8	The King.	9,715	9	4
		Totals,			32	18	13	4	1	2							Total with Railways, etc.,	£338,146	9	1

CHAP. IV.

Of Haddingtonshire.

§ 1. *Of its Name.*] THE county plainly derived its appellation from the shire town. The name of the town is said to be of Saxon origin but of difficult etymology. In a charter of Richard, the bishop of St. Andrews who died in 1163, there is a grant "de ecclesia de *Hadintun.*" This was followed by a confirmation of Earl Henry, "de ecclesia de *Hadintun.*" In a charter of David I. the same place is called *Hadintun* (*a*). By a charter to Dunfermline, a mansion was granted by the same king "in burgo de *Hadingtoun*" (*b*). The *toun* and *ton* of the Scoto-Saxon, are obviously the *tun* of the Anglo-Saxon, signifying a dwelling-place, a hamlet, a village, a town, as we may learn from Somner (*c*); and a thousand circumstances in the topography of North and South-Britain, evince that the *tun* was generally affixed, in the Anglo-Saxon practice, to the name of some person as the appropriate designation of his hamlet (*d*). One of the witnesses in the *Inquisitio Davidis*, 1116 A.D., was

(*a*) Trans. of the Edin. Society of Antiq., i., 65.

(*b*) Dal. Col. App., No. iii. There is a grant of David I. to the bishop of St. Andrews of the church of St. Mary de *Hadintune*, with the ecclesiastical dues, de tota *Hadintunschire*. There is another grant of David I. of a toft, "juxta ecclesiam in *villa* de *Hadintune*." Diplom. Scotiæ, pl. xvii. The Hadinton*shire* of David's charter was merely the *parish* of Haddington. This is the *Hadina* of Camden, and the *Hadintona* of Fordun and Buchanan. The inscription on the common seal of the burgh of Haddington is *Sigillum Burgi* HADINA. See the Index Locorum which is prefixed to the Diplom. Scotiæ in art. *Hadintun*.

(*c*) *Tun, ton,* saith Gibson, in his *Regulæ Generales* to the Saxon Chronicle, in the end of the names of places, are deduced from the Sax. *tun,* sepes, *vallum,* and secondarily, *villa,* vicus, oppidum. The *tun,* he adds, is derived, if he mistook not, from *dun, mons,* as towns of old were built on mountains.

(*d*) Leland's Collect., i., 377. Yet ought it to be observed that the A.-S. *Hading* signifies *ordinatio, consecratio,* a giving holy orders. Somner in vo., The place of ordination. But without some fact to justify this application, it is more safe to consider the name of this shire-town as being the *ton* of some person, according to the usual analogy. Somner says that *tun* is used in the termination of many places' names; and indeed (as Verstegan hath it), it is one of the greatest terminations we have, according to that rhyme of his:

In Ford, in Ham, in Ley, and *Tun,*
The most of English sirnames run.

Halden, the son of Eadulf (*e*). It is apparent, then, that some such person gave his name to the town, ton, or tun, though he cannot now be personally introduced to the more curious reader (*f*). Haddington does not much appear on the face of the national annals during the middle ages. Yet we have seen that it had acquired the privileges and pre-eminence of a *burgh* as early as the reign of David I. Thus much, then, with regard to the shire-town and its name. The area of this county seems to have been called *Bernicia*, from the abdication of the Romans till the epoch of 1020, when the whole district was ceded by the Northumbrian earl to the Scottish king (*g*). From the epoch of 1020, the ample country lying along the sea, and the Forth, from the Tweed to the Avon, was denominated by the Saxon settlers, from their native language, *Lothian*, with an allusion to its peculiar jurisdiction on a litigious frontier. *Lothian* was still known as a country, distinct from Scotland, during the reign of David I. (*h*). During the reign of his grandson, William the Lion, the Lammermuir range became the southern boundary of *Lothian* (*i*). Soon after, both in popular tradition, and in public proceedings, the area of this shire

(*e*) Dal. Col., p. 340. We may see in Speed's map of Northumberland 1610, a place named *Haden*-bridge. There are *Haden*-ham in Cambridgeshire, *Haddon*-hall in Derby, Haddon in Huntingdon, and Haddon in Northampton. See the villare of Adams. Adington, which often appears in the topography of North and South-Britain, is the same in substance with the Saxon aspirate (H) prefixed; and there is a place named *Hadington* in Lincolnshire, as we know from the *Inquisitio Post Mortem*, 305.

(*f*) The writer of the prefatory introduction to the account of Lothian in Blaeu's *Atlas Scotiæ*, 1662, supposes the name of this shire-town to be *Hadtyn-town*, as it is situated upon the river *Tyne*; yet this form of the word is assumption against the charters of the 12th century, and is moreover inconsistent with the analogy of the thing.

(*g*) See Smith's Bede: "Berniciorum a mari Scotico terminata est." Ib., App. ii., and the map annexed to it. Such then was the *Bernicia* of Bede.

(*h*) Caledonia, i.. 258-9. Even before the demise of David I. Cockburnspath, which is situated in the north-west corner of Berwickshire, appears to have been deemed a boundary. David I., when he founded Holyroodhouse, granted to its monks the tenth of all the marine animals which might be thrown ashore "ab Avon usque ad Colbrandspath," with the tenth of his pleas and other dues within the same limits. These grants were confirmed by David II., referring to the same limits. Roberts. Index, 90.

(*i*) There is a charter of Rolland, the son of Uchtred, who became constable of Scotland in 1196, granting some land in Upper Lauderdale to Alan de St. Clair, which William de Morville had given him, and settling its limits "de capite langild [the rivulet] usque ad *divisas* de *Laodonia* versus *Lamberlawe*," [Lammer-law]. Diplom. Scotiæ, pl. lxxxi. From the age of David I. to the reign of David II., the extent of Lothian seems to have been from the Avon to Cockburnspath.

was called *East-Lothian*, in order to distinguish it from Edinburghshire, or Mid-Lothian, and from Linlithgowshire, as West-Lothian (*k*).

§ II. *Of its Situation and Extent.*] The shire of Haddington lies between 55° 46′ 10″ north latitude, and between 11′ and 52′ of longitude, east from Edinburgh, or 2° 8′ and 2° 49′ west from London (*l*). It has Edinburghshire on the west, Berwickshire on the south, and the Firth of Forth, which is supposed to commence at St. Abb's-head, on the north and east. The rivulet of Dunglas, for nearly two miles from its influx into the Forth, divides Haddington from Berwickshire; and the stream of Ravensheugh, for about half a mile from its confluence with the same firth, separates Haddington from Edinburghshire. The extreme length of Haddington from east to west is about twenty-five miles. [26½]. The mean length is rather above twenty-three miles. The breadth at the west end is twelve miles, in the middle sixteen, and at the east end ten miles. The mean breadth from north to south may be regarded as sixteen miles (*m*). [Greatest breadth about 19 miles.] The measurements, from the more recent map, give a superficies of two hundred and eighty square miles, or a hundred and seventy-nine thousand two hundred [179,142] English acres; and since, the whole inhabitants of Haddingtonshire have been recently found to be twenty-nine thousand nine hundred and eighty-six [1881 : 38,502], this population amounts to rather more than one hundred and seven [137½] individuals to a square mile. Haddington contains four and twenty parishes. This district has been several times surveyed. During the troublous age of Charles I., it was inspected with an accurate eye by Timothy Pont, who left a delineation of *Lothian* which Blaeu soon after published (*n*). The landholders of Hadding-

(*k*) At the epoch of Bagimont's Roll, it was already distinguished by the modern name of *East*-Lothian. In a *compositio* between the canons of St. Andrews and the monks of Haddington, which was made in the church of Lauder, during the year 1245, the chapter "*Orientali Laodoniae*," oriental or *Eastern* Lothian, is spoken of as a known province in that age. Trans. Antiq. Soc. Edin., 119; Roberts. Index, 90-126.

(*l*) Armstrong's map, and Arrowsmith's map. The shire-town of Haddington lies in 55° 57′ 50″ N. Latitude, and 2° 48′ 40″ Longitude W. of London.

(*m*) Arrowsmith's map.

(*n*) It is No. 9, facing p. 43, in his *Atlas Scotiæ*. There was a one sheet map of Haddingtonshire by John Adair, which was engraved by R. Cooper. Haddingtonshire was included by the Armstrongs in their six sheet map of the *three Lothians*, 1773, on a scale of one inch to a mile. A very fine map of Haddingtonshire was published by W. Forrest in 1799, on a scale of two inches to a mile; and there is a very useful sketch of this county prefixed to Somerville's General View of the Agriculture of East Lothian, 1805.

tonshire have been since gratified by successive surveys of its area; but it is to be regretted that old localities are generally sacrificed to an idle desire of new objects.

§ III. *Of its Natural Objects.*] The western declivity of the Lammermuir equally forms in this shire as the eastern does in Berwickshire, a considerable district which affects its atmosphere and produces many of its streamlets. At the west edge of this vast moor, which has always been of importance for its pasturages, stands Lammer-law, which probably gave a pleonastic name to the whole ridge. From Lammermuir the face of the whole country has a general inclination to the northward. The surface of this shire is broken into many inequalities by its sudden ascents and frequent declivities. Yet the county cannot be said to be mountainous, and its hills do not rise to great elevations, though Spartleton-hill is said to be one of the highest in the range of Lammermuir, which rises 1615 feet above the level of the sea. Yet though most of the western declivity of this unsightly ridge be occupied by alternations of moor and moss there is much of a better quality in the intervals of the hills, where the plough performs its usual operations, and the sower's hand produces a regular rotation of crops. Traprene-law, which was formerly called Dunpender-law, is a rocky hill of an oval form, and rises singly in an open country to the height of seven hundred feet above the sea-level. From its summit there is a distinct prospect of East and West Lothian, of Fife, the Isle of May, the Bass, the Firth of Forth, and the German Ocean; and on its utmost top there are the remains of ancient wall, which is formed of rough stones that have been rudely piled by the unskilful hands of former times. North-Berwick-law is a conical hill of beautiful shape, which rises to the height of eight hundred feet from a level country, at the distance of half a mile from the sea. Down or Dun-hill, in the parish of Spott, rises five hundred feet above the sea, and is memorable for having been the safe encampment of Leslie, the Scottish general, till fanaticism delivered him in an evil hour into Cromwell's hands during the fatal year 1650. The Garleton hills begin to rise in the western extremity of the county, and continue their elevation eastward for many miles, and Haddington may generally be thus considered as a much less mountainous country than Roxburghshire, and still less than Berwickshire.

The greatest part of the shire lies upon a bed of granite. The whole county is full of pit-coal (*o*). This useful mineral abounds in the parishes of Tranent,

(*o*) See the Stat. Acco. throughout.

Ormiston, Gladsmuir, in Prestonpans, and in Inveresk. Here was it dug as early as the beginning of the 13th century, if not earlier (*p*). Limestone abounds in every part of this shire, and it would be difficult, perhaps, to find any place within it which exceeds six miles from some limestone rock (*q*). It has marle throughout in equal abundance. On the coast of Dirleton there is a pond, which is called *marle*-loch in Forrest's map. At Saltoun and at Hermiston shell-marle has been found, though no satisfactory trial has been made of its usefulness as a manure, since the lime seems to preclude the notion of necessity (*r*). So commodiously has nature disposed the surface of East-Lothian into ranges of hill and dale, that ingenious tourists have, from topographical retrospection, declared Haddingtonshire to be *the Northampton* of North-Britain.

(*p*) Caledonia, i., 793. Yet so slow is the progress of information, that the latest *Treatise* on the *Coal Trade* of Scotland refers to the coal of Dunfermline as the earliest in North-Britain whereof there is any authentic account. The fact is, however, that the monks of Newbotle had the merit to discover and to work coal on their lands of Preston-grange, as early as 1200 A.D. There remains a charter of Seyer de Quincey, the lord of the manor of Tranent, to those monks, granting to them "*carbonarium* et quararium," on their lands of Preston, bounded by the rivulet of Pinkie, with the exclusive power to work them. This charter must have been granted between the years 1202 and 1218, for the granter set out for the Holy Land in 1218, and died there in 1219, as we may know from Dugdale; and one of the witnesses was William, who became bishop of St. Andrews in 1202. The *second* notice of the existence of coals in Tranent is the charter of James, Stewart of Scotland, on the 26th of January 1284-5, when he granted his lands in Tranent, with the moors, marshes, "petaries, et *Carbonariis*," and other easements. The autograph is in my library. Here then are two charters which precede the charter mentioning *coals* in Dunfermline in 1201, so that coals were worked *ninety* years at least in East-Lothian before they were known in Fife. Robert I. granted to Henry *Cissor* [Taylor] the lands of Kilbaberton, "et illud *Carbonarium*, infra baroniam de Travernent, quod vocatur Gawaynes-*pot*," the coal-*pot* of Gawyn. Robertson's Index, 7. Fordun, under the year 1322, states familiarly the *collieries* of Tranent, when he speaks of the invasion of Edward II., who remained some time in East-Lothian. L. xii., c. 4. From the age of Robert Bruce there is a series of charters granting collieries in East-Lothian.

(*q*) There was advertised to be let, in 1802, the extensive *lime* rock of *Rhodes* in East-Lothian, within a mile of the harbour of North-Berwick, where there is an extensive sale to the north country, as well as the great demand for this lime in East Lothian. There remains a charter of Charles II., dated the 9th of February 1663, to John Cant, confirming to him several lands in Innerwick, with *the privileye of burning limestone*. Public Archives. Lime everywhere abounds, and is manufactured as well for the uses of the builder as of the agriculturalist. Stat. Acco. throughout.

(*r*) Wight's Tour, ii., 248.

At the entrance into the harbour of Dunbar, which is very narrow, between two rocks, there is a production of nature which resembles *the Giants' Causeway* in Ireland. On the west side of the harbour there is a promontory stretching out about a hundred yards to the north, and is about twenty yards wide, having the sea on each side of it on the flow of the tide. The rocky head is a natural curiosity of an uncommon kind, being composed of a red stone, which is not limestone, but rather a very hard freestone, resembling on both sides the Giant's Causeway (*a*). This peninsular rock is called by the people of Dunbar *the isle*. Freestone seems to abound in every part of this shire (*b*). Near Barra freestone quarries of excellent qualities are wrought for daily use, so are they in Pencaithland and Tranent (*c*). Iron ore abounds in Humbie and Keith, and in Oldhamstocks; and there is an iron-work at Fawside in Tranent (*d*).

From such topics it is easy to diverge to *mineral waters*. In Humbie parish there is a spring of acidulous water, which was much resorted to formerly for scorbutic disorders (*e*). In Pencaithland parish there are several mineral springs, which are highly esteemed by the common people for the same diseases (*f*). Kist-hill-well, in the parish of Spott, was formerly resorted to by many people for similar complaints (*g*). Near Saltonhouse there has been discovered a mineral spring of the same nature and virtue as the Bristol waters (*h*). We may thus perceive that East-Lothian, in addition to its minerals, has also waters with mineral qualities, which contribute their aid, with better food, better shelter, and better clothing, to restore or preserve the health of its people.

About a mile from the shore of Haddington, facing the village of Castleton, lies *the Bass*, a rock of great height; on the south side the top appears of a conical shape, but the other overhangs the unfathomable sea in a most tremendous manner. This naturally is the annual resort of water-fowl, which find the *Bass* a commodious breeding place. Among these, the most numerous are the gannets or Solan geese, whose young are sold for the benefit of the proprietor of the rock. The next in number are the kittie-wakes, a species of gull which have derived their singular name from their constant

(*a*) There is a minute account of this *natural production*, by the bishop of Ossory, in the Philosoph. Transact., lii., 98. Pennant describes those *columnar* rocks as a very surprising stratum of stone, consisting of great columns, either triangular, quadrangular, pentangular, or hexangular; their diameter is from one to two feet, their length at low water thirty, dipping or inclining a little to the south. Tour, i., 44.

(*b*) Stat. Acco. throughout. (*c*) Ib., xiii., 358; xvii., 43; and Forrest's map of this shire.
(*d*) Stat. Acco., vi., 161; vii., 42; and Forrest's map. (*e*) Stat. Acco., i., 161.
(*f*) Ib., xvii., 34. (*g*) Ib., v., 455. (*h*) Ib., x., 261.

cry (*i*). Here, also, Ray saw the *scout*, the *scart*, and a bird called the *turtledove*, whole footed, and the feet red. This perpendicular rock is celebrated in the *Polemomiddinia* of Drummond, as "the *solangoosifera Bassa* (*k*)."

Haddingtonshire cannot boast of being well watered. It seems to have no lakes either for ornament or use. The Whitadder, which circulates through Berwickshire with so much convenience and beauty, rises in Haddington. The *Tyne*, which springs from the moor of Middleton in Edinburgshire, "flows "tortoise-like" through Haddington. From the parishes of Crichton and Cranston, it enters this shire, and holding its devious course from west to east, it washes the county-town and falls into the frith at Tyninghame; after receiving in its progress, Salton-water, Coalstoun-water, and several rills. The Tyne, however, is subject to floods, and has often damaged the shire-town on its banks by its torrent. There are not any other streams in this shire which merit the appellation of brooks (*l*). Haddington, then, does not

(*i*) Stat. Acco., p. 47; facing which there is a sketch of *the Bass* from Tantallon Castle. The castle on the Bass, which had been a State prison, and at the Revolution was relinquished, was afterward directed, by King William's order of the 2nd February 1701-2, to be demolished. Warrant Book in the Paper Office. In July 1706, the Bass was granted to Sir Hew Dalrymple, the Lord President of the Court of Session, for paying a Scots penny. By the recital of the grant, it appears that the Bass had been conveyed to Charles II. by Sir Alexander Ramsay of Abbotshall. A right to the Solan geese was reserved to Lord Alexander Hay, and there was also reserved the power of re-fortifying the Bass, if the Government at any time should think proper. Id. On the 29th of January 1744, died, at the age of 85, Captain Edward Burd, who was noted for taking the Bass during King William's war from the French. Scots Mag., 1744, 50. See John Ray's Itineraries, 191-4, for his curious account of the Bass, in August 1661.

(*k*) Gibson says in his notes on that macaronic poem, that *bas* in the old Danish, "loca inter *cautes* augustiora significat:" but he does not quote his authority. According to Andreas, *basse* in the Icelandic signifies *pinnaculum*, and this signification does apply, indeed, to the nature of the thing, whatever may have been the origin of the application. Bullet has collected, with his usual industry, that *bass* in the Celtic signifies a rock, a rock under water; but this signifies something *low*, not something *high*. There is a truncated tumulus near Inverury in Aberdeenshire, which is also called the *Bass*. [Stat. Acco., vii., 335.] But if this be a *barrow*, it may have derived its name from a Celtic source. *Bass*, a mat at the door for the feet, and *bass* a mat in the church for the knees, are derived by Jamieson, the Scottish Glossarist, from the Teut. *bast*, cortex, who changes the form of the word to suit his purpose. Whatever Junius or Johnson may say, the English word *bass*, signifying a *mat*, may be properly derived from the French *bas*, what is *low* or *under*, secondarily, *base* or *basement*. See Menage. As to the French etymologists running into the Greek for what they might have found in their own Gaulish or Breton, [see Pelloutier, in vo. *bas*, low,] it is like the English and Scottish glossarists, who mount to the moon for what they may find on earth.

(*l*) The West and East Peffer rise in the same county, but take different courses. The former runs in a north-west direction, and mingles its waters with the Forth in Aberlady bay at Luffness.

derive from its internal waters either the benefit of abundant fishery or the advantage of augmented fertilization. Yet, however penurious nature may have been in supplying this shire with lakes and riverets, she has abundantly made up by surrounding the whole northern shore by the sea and Forth.

§ IV. *Of its Antiquities.*] The successive settlers within this fine district which we have just seen, does not abound with natural objects, and the peculiar languages of each colony are undoubtedly the earliest and most interesting antiquities of this county. At the epoch of the Roman invasion of North-Britain, during the first century, the great tribe of the British *Ottadini* inhabited the whole coast of the Forth, as high perhaps as the Esk (*m*). Their language is the clearest evidence of their lineage, and the names of the rivers and the appellations of places are the best proofs of their language. The *Tyne*, the *Peffer*, the *Adder*, the Dye, the Eye, Aberlady, Trebrun, Tranent, Trapren, *Pen*-craig, Pencaithland, Soltre [Soutra], Barra, Nodref [Niddrie], Keith, Yester, Carfrae, *Pen*-trak-*hill*, are Cambro-British words, which still testify the truth of the British origin of the *Ottadini* people, the Celtic inhabitants of this district during the second century (*n*). The hill-forts, the caves, the weapons of war, the ornaments, the modes of sepulture, which have been all investigated, are additional evidences of the descent of the original people here, and of the genuine *Celticism* of their speech (*o*). The abdication of the Roman government left those British people in the quiet possession of their original country. Neither the congenerous Picts beyond the Forth, nor the Scots in Ireland, disturbed their repose.

The East Peffer assumes a north-east direction, and falls into the Forth. The Garvald and the Saughit rivulets mix their kindred waters near Biel, which gives them its own name, and fall into the Firth at West-Barns. The streamlet of Spott, which is properly Brocs-burn, and corruptly Brox-burn, flows into the Forth at Brox-mouth, that has given its name to a seat of the Duke of Roxburgh. The rivulets Dunglas, Dry, and Thornton, mingle their tributary waters with the Estuary which bounds the north-east coast of Haddington.

(*m*) See Caledonia, bk. i., ch. 1, 2.

(*n*) *Tra-pren* in the Cambro-British signifies beyond the tree; *tre-pren* would signify timber-town. *Soltre*, which is now Soutra, is merely the *Swltre* of the same language, signifying prospect-ham. Pen-caith-lan signifies, in that descriptive tongue, the head or end of the narrow enclosure. Niddrie, the *Nodref* of the chartularies; Noedd-tref means the naked dwelling. Tre-brun signifies hill-town.

(*o*) In 1782, there was turned up by the plough within Gilmerton field, the head of a hatchet of polished yellow marble, which had been sharpened at both the ends, in length nine inches, and in breadth from one and a half to upwards of two inches. This curious weapon was presented on the 2nd of April 1782, to the Antiquarian Society of Edinburgh. Acco. of the Antiq. Soc. Edin., p. 91.

At the end of a century, however, they were awakened to a sense of their insecurity, by the intrusion of a Teutonic people, who came from the settlement of a kingdom on the south of the Tweed to enlarge the sphere of their settlements on the Tyne. With the predominance of the Saxon people, their speech was superinduced upon the British tongue (*p*). The worthy Cuthbert succeeded the respected Baldred during the seventh century, in preaching to the confiding Saxons of this *shire* in their own language. The Saxon settlers were sometimes over-run by the Picts, after the battle of Drumnechton. They were at length overpowered by the Scots after the suppression of the Pictish power, and the Saxon settlers here, with their country, were at length in 1020 ceded by the Northumbrian earl to the Scottish king. The Scottish people, during almost a century, predominated in Lothian as well as in Scotland (*q*). In this manner then are the names of places the best proofs of the successive settlements of all those people in different ages, within the agreeable area of Haddingtonshire.

The most prominent objects which next attract the antiquarian eye, are the hill-forts of the earliest people. Of this nature probably is the camp in Bolton parish, comprehending five or six acres, and is called *Chesters* (*r*). Of a similar

(*p*) It may easily be supposed, that on the face of this district the Saxon words would at length out-number the British. We may now recognize here the Anglo-Saxon Shiel, Lee or Lea, Law, Dod, Ham, Tun or Ton, Dean, Rig, Wic, By, Cleugh, Hope, Threap, Chester, and above all the Lammermuir, without considering the English of latter times, beside those we now contemplate. The names of the waters generally are significant in the Cambro-British speech, as well as the names of some of the parishes of Haddingtonshire; but the names of most of the parishes are pure Anglo-Saxon, while there cannot be found a single trace of the Scandinavian tongue.

(*q*) There are in this shire a greater number of Gaelic names of places than in Berwickshire, a fact this, which testifies that the Scottish people settled in greater numbers on the northern than the southern side of the Lammermuir. The most obvious Gaelic names are, Balgone, Balncrieff, Craig, Craigindinnas, Creignes, Clackmae, Culmad, Dunbar, Dun-glas, *Down*-hill, Drummore, *Dun*-cra-hill, *Dun*-pender-law, Dalgowrie, *Drem*, Garvald, Cairn, Kilspindie, Kilmurdic, Luffenach now Luffnes, Pressminnen, Stoop-horn-*rind*, *Torbucklin*-hill, Torrs, Phantassie, Gullane, Linplume, Nuckle-*Duns*, Tantallon, Wamphray. In Lothian, says the late Lord Hailes, the names of the *hills* and *rivers* are *Gaelic*; the names of the most ancient villages and hamlets are generally *Saxon*. This shows, he adds, that the Saxons once possessed the country; and that they succeeded a nation of a different language. Sutherland Case, 69. Yet his lordship did not see the truth distinctly, he did not perceive that the Celtic-British are the earliest names on the map of Lothian, that the Saxon are the second, that the Gaelic are the third, and that the English are the fourth, corresponding to the several successions of the colonizing people.

(*r*) Stat. Acc., iv., 287.

origin is the *circular* camp at Garvald, which has a circumference of fifteen hundred feet. At no great distance westward, at Carfrae, there was till lately an encampment of nearly the same shape and dimensions (*s*). On Priestlaw, in Whittingham parish, is a circular camp, which, as it is encompassed by four ditches and measures two thousand feet in circumference, seems to have been of great importance. From the number of envelops, the art of construction, and the strength of the whole, we may infer that this encampment among the Lammermuir laws may have been the labour of successive years, and was strengthened by the Ottadini people, after the abdication of the Roman power had made way for the attacks of a very different race (*t*). It is unnecessary, and would be tedious, to examine the circular fortlets on the summits of every hillock, when the difference between the British hill-forts and the Roman square encampments below are once distinctly understood, and it is clearly known that this fine district was never defiled by Danish feet. The Lothians do not abound in *druid* monuments. It has been already intimated in the account of Berwickshire that the druid temples seem to have been destroyed by the ardent heat of the Saxon Christians, who built their religious houses on more ancient ruins. Whatever *cairns* may have been thrown up by the British people, or by their Gaelic successors, as tributes to their ancestors, have been removed by improvers, who neither cared for the manes of the dead nor regarded the triumphs of the living (*u*). The map of Haddingtonshire exhibits many *ruins*, without any intimation whether they be the remains of a church

(*s*) Stat. Acco., xiii., 361-2. A few years ago, when the workmen were digging up the entrenchments of the camp at Carfrae, they found the brass handle of a sword.

(*t*) Ib., ii., 346. There are other camps in this shire of a similar nature, the efforts probably of the same people. In Innerwick parish and on Blackcastle-hill, is an encampment of that sort, which is supposed, by ignorance, to be *Danish*. Ib., i., 124. There is a similar camp on Dodrig-law, in Ormiston parish, which has been attributed both to the Danes and to the Romans. Ib., v., 70. In Athelstaneford parish is the vestige of a camp, which is also attributed to the Danes by those inquirers who do not recollect that, in Scotland, the Danes were never allowed to settle. Ib., x., 175. In Garvald and Baro, there are some strengths on artificial mounts which are called the Blackcastle and the Greencastle. Ib., xiii., 361-2 ; and these also are given to the *Danes* by inquirers, who never reflected that the object of the Danes was depredation and not residence. See King's Munimenta, b. i., ch. i., concerning the British forts.

(*u*) On the summit of Whitekirk-hill, there is a cairn, indeed, which malignant tradition supposes to be the sepulchre of two young men, who were killed by the garrison of the Bass, at the troublous epoch of the Reformation. Stat. Acco., xvii., 580. Near the south-western boundaries of Berwickshire, may be seen, in Armstrong's map of the Lothians, several heights, which are called Harehope *Cairn*, Harelaw *Cairn*, Whitestone *Cairn*, Cape *Cairn*.

or a castle. In the parish of Innerwick are two beautiful tumuli which are obviously sepulchres. On the coast of the same parish are the ruins of a chapel, though we are not told when it was built, or to what use it was applied (*x*). In Dirleton parish, on Fidra isle, there is a ruined building which is supposed to have been a place of worship for the living, or perhaps a lazaretto for the sick (*y*). There is a ruin on a sandy hillock near North-Berwick shore, which is surrounded by a cemetery, that shows the building to have been dedicated to some holy use (*z*). In Humbie parish, besides encampments, there are several tumuli wherein have been found urns containing bones and ashes. The many ruins of religious houses and of *castles*, as they originated during more recent times, can merely be deemed *modern antiquities* by judicious readers.

With the warfare of feudal ages arose *the castles* which were the residences of feudal chiefs, who introduced into them, by turns, vigorous conflict and coarse hilarity. On the entrance from Berwickshire into Eastern-Lothian stands the castle of *Dunglass*, which is often mentioned in the Scottish annals as the guard of that pass into North-Britain. It was long the hospitable residence of the Homes, and gave the title of Lord *Dunglass* to the Earl of Home (*a*). The castle of *Innerwick* was one of those many fortalices which were built during feudal times, against sudden invasion or popular tumult. It was for ages the inheritance of *the Stewarts*, and became one of the baronial strongholds of the Hamiltons. It was attacked and taken during the protector Somerset's expedition in 1547 (*b*). The castle of *Thornton*, which belonged to Lord Home, was on that occasion overpowered with more ease, as it was less strong from nature and less fortified by art.

The castle of *Dunbar* has often furnished a larger theatre for warlike exploits in earlier times. The ruins of this fortalice, which is seated on a rock above the sea, is the Dun-bar, or strength upon the summit, of the ancient people. As the land in this vicinity was given by Malcolm Canmore to Cospatrick, the expatriated Earl of Northumberland, we may easily suppose that he here strengthened a castle, which was completed by his warlike and opulent successors,

(*x*) Stat. Acco., i., 124. (*y*) Ib., 194.

(*z*) Grose's Antiq. Scot., ii., 77, to which is prefixed a sketch of the ruin.

(*a*) Stat. Acco. of Oldhamstocks, vii., 409. The castle of Dunglass had the honour to receive King James on his journey to London in 1603. On his return, he was again received here on the 17th of May 1617; and here the *Muses Dunglasides* offered their gratulatory *welcome*. See *The Muses Welcome*, 1618.

(*b*) There is a drawing of this castle in Grose's Antiq. facing p. 91.

the Earls of Dunbar and March (*c*). The sieges which it successively sustained by the most warlike princes, are satisfactory proofs of its strength, from its natural position and artificial works. The foul deeds and flight of James, Earl Bothwell induced the parliament of December 1567 to direct its demolition (*d*). The neighbouring town derived its existence and its name from the castelated cliff (*e*). The castle of *Dirleton* cannot be traced so distinctly to so early an origin. Like other feudal houses it was erected on a rock in the parish of Gullane. It had the honour to stop the progress of the ireful Edward I. in 1298, when it was the baronial residence of the family of Vaus. After many vicissitudes in war and in peace, it was demolished by Cromwell in 1650 (*f*). The castle of Hailes, the ruins whereof stand on the southern bank of the Tyne, was also a feudal strength during the middle ages, and was demolished during the same civil wars (*g*). The castle of *Tantallon*, which stands two miles eastward of North-Berwick, on a high rock overhanging the sea that surrounds three of its sides, is now a wretched remain of the factious greatness of other times. The era of its foundation is unknown. It was demolished in 1639 by the furious insurgents of that age (*h*). At the romantic foot of the Garleton hills stands the house of Garleton, which shows in its present ruins its ancient magnificence (*i*). Winton-house, the stately residence of the Setons in other times, is now a sad memorial of mistaken politics which were carried into rebellious action upon honourable principles. Upon a peninsula, which is formed by the Hope-water on the east, and a large rivulet on the west, stand the ruins of Yester-castle, the baronial residence of the Giffords during the middle ages (*k*). The castle of *the Bass*, which had the honour to receive and to shelter James, the infant heir of Robert III., and

(*c*) Sim. Dunelm. Col., 205 ; Holland's Camden, Scotia, 11.

(*d*) Skene's Acts of the 1st Parl., Ja. IV. In 1801, Lord Lauderdale's labourers in clearing away some high ground under the castle, in order to open a view of the sea, discovered the ancient cemetery of the fortlet, containing many bones of all ages, as well as a good number of stone balls of different sizes, and some of them as large as the twenty-four pounders of the present times. The Rev. Doctor Carfrae's Letter to me of the 28th October 1801. Trans. Antiq. Soc., Lond., xiv., 279.

(*e*) Pennant's Tour, v. i., p. 44. There are two plates of the ruins of the castle of *Dunbar* in Grose's Antiq., facing p. 83-89. [See Miller's History of Dunbar.]

(*f*) There is a plate of *Dirleton* castle in Grose's Antiq., facing p. 73. [See also Billing's Antiq.]

(*g*) There is a plate of *Hailes* castle in Grose's Antiq., facing p. 89. Stat. Acco., v. xi., p. 86.

(*h*) There are two plates of *Tantallon* ruins in Grose's Antiq., facing p. 77-81. There is an etching of *Tantallon* in Cardonnel's Antiquities. [See also Billing's Antiqnities.]

(*i*) Stat. Acco., x., 175.

(*k*) Stat. Acco. of Garvald, xiii., 361-2.

was, during Charles II.'s reign, used as a state prison, was relinquished by King William as of no use for the purposes of war. [See *The Bass Rock*, 1848, by Hugh Miller and others.]

Of towers and bastel-houses, Haddingtonshire cannot boast of the same numbers as the shires of Berwick and of Roxburgh, which were nearer the hostile borders, and wanted such a shield as the Lammermuir; and it will be found from every inquiry that the most instructive *antiquities* of East-Lothian is its *topography*, which illustrates the obscurities of its colonization in successive ages, and exhibits at this day the languages of the several settlers within its diversified area, which are the best proofs of the real genealogy of every people.

§ v. *Of its Establishment as a Shire.*] The origin and the settlement of the sheriffwick of Haddington are extremely obscure. Hadintunschire is mentioned, indeed, in the charters of David I. (*l*). But the term *scire* in those grants meant merely the *parish* of Haddington, which was probably in those times of very large extent. This intimation continued equally true during the age of Malcolm IV., and in the reign of William the Lion (*m*). Under Malcolm IV. and his brother William, Alexander was certainly sheriff of Haddington (*n*). It is apparent then that a certain district around Haddington, during those early reigns, had been already placed under the appropriate regimen of a sheriff (*o*); but there is no evidence on the other hand of Haddington being a *constabulary* in those times. The appointment of a *constable* when

(*l*) Diplom. Scotiæ, pl. xvii. It is to be, however, remembered that in his second charter above, by which he granted *Clerchetune*, according to its limits on both sides of the Tyne, as William de Graham, "et Durundus, vicecomes," and others, had perambulated the same, he mentions Durand, the *sheriff*. We must always recollect when discussing such subjects that, in the Sax. Glossary of Ælfric *scir* signifies *provincia*.

(*m*) Malcolm IV. confirmed a grant of his mother, the Countess Ada, of the lands which were of Robert, the son of Galfrid, called Bereford, in Haddington-*sire*. Chart. Newbotle, No. 78. There is a charter of William, the successor of Malcolm, confirming to the same monks the lands of Bereford in Haddington*scire*. Ib., No. 176.

(*n*) He is mentioned in the Chart. of Newbotle, No. 13; and Alexander is again mentioned in 1184, as a perambulator of lands with Symon, the sheriff of Traquayr, in a charter of William the Lion, who calls Alexander *his sheriff of Haddington*. Ib., 30.

(*o*) Sometime before 1200, Hugh Gifford of Yester had his sheriff, who was named Alexander. Chart. Newbotle, 89. The Morvilles had also their sheriff in this county; and Henry Sinclair of Herdmanston was the sheriff of those opulent barons. Chart. Glasg., 163-5; Diplom. Scotiæ, pl. 75.

there does not appear a *castle*, is as obscure as the establishment of the sheriffwick; yet it is certain that before the end of the thirteenth century, Haddington, to whatever extent, had been made a constabulary, though we hear nothing of any castle of Haddington (*a*). The first record wherein we see distinctly the sheriffwick of Edinburgh stretched over Haddington on the south, and Linlithgow on the north, is the ordinance of Edward I. 1305, for settling the government of Scotland (*b*). The earliest charter of the Scottish kings, which explicitly mentions the *constabulary* of Haddington, is a grant of Robert I. to Alexander de Seton (*c*). There is a proceeding of parliament in 1385, which opens the political economy which then existed as to the *constabulary* of Haddington and the *shire* of Edinburgh. William de Fenton complained to the king in parliament, of wrongs done him by the baron of Dirlton. William had been prosecuted "in curia baronis de Driltoun," upon his tenement of Fentoun, and being ousted by the sentence of this court-baron, appealed to the superior jurisdiction of the sheriff of Edinburgh, who restored William to his tenement "per suum *constabularium* de Hadington, notwithstanding the frequent interruptions of the baron of Dirlton, and complaint was now made to the king in his council, and to the king in parliament, of the outrageous wrongs done by the baron of Dirlton to William de Fenton. All proceedings considered, it was determined by the *general council* that William of Fenton should be

(*a*) Even in 1334, when Edward Baliol granted the whole districts of Southern Scotland to Edward III., he gave his liege lord the *constabulary* of *Haddington*, while he equally transferred the town, *the castle*, and the county of Edinburgh. Rym., iv., 614. This document marks very distinctly *the castles*, wherever any existed; nor must we be deluded by Ayloffe's Cal., 298, to suppose that there was a *castrum* de Haddington.

(*b*) Ryley's Placita, 504. John de Adeburgh was thereby appointed the sheriff of Edinburgh, of Haddington, and of Linlithgow. In the English records of that age, this anomalous jurisdiction is variously denominated; sometimes East Lothian is called the sheriffdom of Edinburgh, and often the sheriffdom of Haddington, as we may see in Prynne and Rymer. When the corporation of Haddington-town swore fealty to Edward in 1296, they are described as "en le counte de Edenburgh." Prynne, iii., 653. In March 1306, Hugh de Newton did homage to the same king for his lands "en le counte de Hadington." Rym., ii., 1015; but East Lothian is never called a constabulary in the English Records at that epoch. Robert I., however, in granting the forfeiture of William de Ferrers, within the barony of Tranent, to Alexander Seton, reserved the *service* of "unam sectam *curie nostre* de Hadington." This reservation seems to imply that there was of old at Haddington, the king's court, to which the constable may have been attached.

(*c*) Robert Bruce granted to Alexander de Seton the barony of Tranent, "in *constabularie* de Hadington." Roberts. Index, 20. From the accession of Bruce till the restoration of Charles II., Haddington continued a constabulary. From David II.'s charter in 1369, it appears that the *shire of Edinburgh* then stretched to *Cockburnspath* on the south. Roberts. Index, 90.

restored to his tenement "per potenciam regiam et ejus authoritatem; and for his wrongs by spoliation and waste, William was referred to his action at *common law* (*d*). Robert III. granted to William Lindsay of the Byres, for life, the offices of sheriff of Edinburghshire and constable of Haddington constabulary (*e*). Patrick Hepburn, Earl of Bothwell, was appointed sheriff of Edinburgh and *constable* of Haddington, as early as the 15th of February 1489-90 (*f*). This consequential baron died in 1508, and was succeeded by his son Adam, the second Earl of Bothwell, and he obtained from James IV., on the 27th day of August 1511, in *fee* and *heretage*, the several offices of sheriff of Edinburgh proper, the sheriff of Edinburgh within the constabulary of Haddington, *constable of Haddington* and admiral of Scotland (*g*). From this ample grant, all those offices, with other rights and privileges, descended hereditarily in this ambitious family, till the whole were forfeited in 1567 by the odious James, Earl of Bothwell. Soon after 1584, King James was so imprudent as to restore Francis, Earl of Bothwell, to the whole forfeitures of the former. To his earldom, to his baronies of *Hailes*, *Oldamstocks*, and *Moreham*, with the offices of sheriff of Edinburgh, sheriff of Edinburgh *within the constabulary of Haddington*, sheriff of Berwick, Baillie of Lauderdale, and Great

(*d*) Parl. Rec., 133-4. The baron of Dirlton appears to have acted with all the outrage of a lawless age. He prosecuted his neighbour in his own court, he resisted the sheriff's process. he opposed pertinaciously the king in his judicial council; yet we do not see in the Record that the baron of Dirlton was committed for his violent contempt of the constituted authorities. William de Vaus was then baron of Dirlton, and died in 1392. Dougl. Peer., 321. Yet in 1467, the parliament spoke loosely of the *shire* of Haddington, and actually appointed Duncan of Dundas and the laird of Congalton to make an inquisition and retour of every man's rent in Haddingtonshire. Parl. Rec., 151.

(*e*) Robertson's Index, 142. Sir William Lyndsay of the Byres, who was one of the sureties for the truce of 1398, as mentioned in Rym., viii., 35, is supposed to have died in 1424. Dougl. Peer., 160.

(*f*) Parl. Rec., 364. In 1503, the same Earl of Bothwell was sheriff of Lothian [from the Avon to Cockburnspath]. and *constable of Haddington*. Balfour's Practicks, 16.

(*g*) Privy Seal Rec., lib. iv., 151. Adam, Earl of Bothwell, fought and fell with James IV. on Flodden-field. He was succeeded by his son Patrick. who was also sheriff of Edinburghshire and constable of Haddington constabulary, in October 1545. Parl. Rec., 689; Keith's Hist., 41. He died in September 1556, and he was succeeded in his earldom and various offices by his son James, who will not soon be forgotten. On the 19th of April 1567, all his estates, titles, and offices were confirmed by a charter of Queen Mary, which was ratified by parliament. Parl. Rec., 754. He was expelled and forfeited during the same unlucky year for his misdeeds. An attention to those accurate notices would illustrate the obscurities of the Scottish history.

Admiral of Scotland (*h*). Such improvidence in the giver only created ingratitude in the receiver. This miscreant earl committed a thousand treasons against his benefactor, before his forfeiture in 1594. It is vain to inquire which of the nobles were next made ungrateful by sharing his forfeiture. The same regimen of a sheriff principal of Edinburgh, a sheriff of Edinburgh, for the constabulary of Haddington long continued (*i*). James VI. seems to have conferred on the corporation of Haddington "the office of *Sherefscip*," within its limits (*k*). Haddington continued a constabulary at the Restoration, and perhaps throughout the reign of Charles II. (*l*). Haddington was a sheriffdom at the Revolution, and it continued so till 1748. Soon after the Revolution, John, the second Marquis of Tweeddale, was appointed sheriff-principal of Haddington, a trust which he continued to execute till his death in 1713 (*m*). On the 9th of January, 1716, Thomas, Earl of Haddington, was appointed sheriff of this shire during the king's pleasure, but was continued till his decease in 1735. As this trust was not hereditary, it could not be claimed when such trusts were to be resumed by purchase. At the epoch of the abolition of hereditary jurisdictions in 1748, there were but few and inconsiderable

(*h*) Dougl. Peer., 36.

(*i*) See Certain Matters of Scotland, 1597, which were published in 1603. Sign. C. 4. As early as 1579, *Lauder* appears to have been comprehended in the constabulary of Haddington. Wight on Elections, 431. Sir William Seatoun succeeded the Bothwells as sheriff of Haddington. On the 19th of January 1613, as sheriff-*depute* he gave in to the commissioners of parliament "the taxt-roll of the sheriffdom of Edinburgh, *within the constabulary of Haddington.*" MS. Roll. This Parliamentary Record, then, clearly expresses what had long been, and what long continued after the accession of King James, to be both the fact and the law with regard to the subordinate jurisdiction of East-Lothian.

(*k*) The charter of King James was confirmed by act of parliament, on the 29th of June 1633, which declared the same burgh "to be within the *sherefdome* of Edinburgh and constabularie of Hadington." See this act in the Trans. Antiq. Soc., Edin., 96.

(*l*) From 1663 to the 8th of December 1670, John Hay of Barra was sheriff-depute of Edinburgh, within the *constabulary* of Haddington. George Brown of Coalston succeeded him till 1681, when he was followed by George Halyburton of Eaglescarney, till 1687. Yet in the act of the 1st Ch. 11, c. 14, for raising the annuity of £4,000, Haddington is called *a sheriffdom*, only Edinburgh is still called "the sheriffdom of Edinburgh, *principal.*" The well-known Duke of Lauderdale was sheriff within the constabulary of Haddington in 1677, and so continued till his decease in 1682. The first act of James VII., ch. xii., considers Edinburgh, which was not called *principal*, and Haddington as distinct shires. In 1689, the 1st parl. K. William, ch. 32, for raising four months' supply, also speaks of Edinburgh and Haddington as separate shires.

(*m*) Dougl. Peer., in art. Alexander Hay, advocate, was sheriff-depute under the marquis as the principal.

claims to be compensated by the public in Haddingtonshire (*n*). The first sheriff who was appointed at that epoch, under the improved regimen, was James Hamilton, advocate, a brother of Lord Belhaven (*o*).

§ VI. *Of its Civil History.*] The ample district, extending from Cockburnspath, on the northern limit of Berwickshire, to the Avon on the Forth, which comprehends modern Lothian, has fully partaken of the successive events which have either saddened or exhilarated Scotland throughout many ages (*p*).

But in the annals of Haddingtonshire, the county-town is the first object of rational curiosity. It derived its name from a Saxon settler here, whose *ton* it became, and who here sat down with his followers on the northern margin of the Tyne. We first see it in record during the 12th century, as the demesne town of the Scottish king. The beneficent David I. possessed it as his *burgh*, with a church, a mill, and other apurtenants of a manor, but no castle of Haddington appears in any charter (*q*). Its agreeable site, however, made it a proper place of regal dower; and in 1139, on the marriage of Earl Henry, the heir of David I., to Ada, the daughter of the Earl of Warren, and the Countess of Melent, Haddington and its territory were settled on her, as her matrimonial provision (*r*); and this mother of kings seems to have been attentive to *her burough* of Haddington till her decease in 1178 (*s*). On this

(*n*) John Hay was paid £800 sterling for the bailliery of Dunbar, and John Hamilton for the regality of Drem had £500. MS. Orig. Report. Haddingtonshire is comprehended within the commissariat of Edinburgh.

(*o*) Scots Mag., 1748, 155.

(*p*) For the history of Lothian during the Pictish period, from 446 A.D. to 843, see Caledonia, bk. ii., ch. 3; and for its history in the subsequent period, extending from 843 A.D. to 1097, see bk. iii., ch. 6.

(*q*) His charter granting the church of St. Mary of Hadintune to the church of St. Andrew at Kilrimont, was given "apud Hadintune." Diplom. Scotiæ, pl. xvii. In 1159, Malcolm IV. granted to the monks of Kelso a toft in *Haddington*. Ib., xxv. David I. granted to the church of St. Mary of Haddington, one full toft near the church in the town of Haddington. Ib., xvi. He granted to the priory of St. Andrews a toft in Haddington. Rel. Divi. Andreæ, 165. He granted to the monks of Dunfermline, "unam *mansuram*." in the burgh of Haddington. Sir Ja. Dalrymp. Col., 384. David granted to the monks of May a full toft, "in *burgo meo* de Hadintune, free of all custom and service." Chart. May, No. 6.

(*r*) Chron. Mel. 166; Dug. Bar., i., 75; and in her charter to the canons of the church of St. Andrew, she gave a full toft "in burgo meo de *Hadintuna*." Trans. Antiq. Soc., Edin., 118.

(*s*) Chron. Mel., 174. She founded a nunnery at Haddington. She granted to the monks of Cambuskenneth a toft in Haddington. Chart. Cambus., No. 29-197. In 1178, Pope Alexander confirmed to the monks of Inchcolm two tofts in Haddington, which had been formerly granted to them. Chart. Inchcolm, No. 76.

event, *Haddington* returned to her son William the Lion, as a demesne of the crown (*t*). William the Lion seems to have sometimes resided at this pleasant town, though we hear nothing of *his castle*. Here, in 1180, was the famous controversy between the monks of Melrose and Richard Morville, the constable, about the forest and pasture on the Gala and Leader, decided in their favour, before William, the king, and his brother, Earl David, and many clergy as well as laymen innumerable (*u*). In 1191, William the Lion, gave his daughter, Isobel, who had been the wife of Robert de Brus, to Robert de Ros, at *Hadintun* (*x*). On the 24th of August 1198, was born at *Hadingtun*, to William, and Ermengard, their son, Alexander, who succeeded him in the Scottish throne (*y*). During those joyous times Haddington seems not to have felt the miseries of war, throughout the three reigns of David I., Malcolm IV., and William the Lion. It was first involved in warfare after Alexander II. had taken part with the English barons against their unworthy sovereign. In 1216, King John penetrated into Lothian and burnt Dunbar and Haddington (*z*). Alexander II. seems never to have followed the example of his father, in making Haddington the place of his residence. In 1242, was assassinated at Haddington, Patrick Earl of Athol; a terrible deed, which involved the king and the nation in many troubles (*a*). As this town had been hastily rebuilt of wood, after John had carried his torch through Lothian, it was accidentally burnt in 1244 (*b*). Haddington seems not to have suffered many miseries,

(*t*) There remains a charter of William, confirming to the canons of St. Andrew the church of Haddington, with the lands of Clerkington, the tithes, and other pertinents. This charter was given "apud *Hadintune*." Trans. Antiq. Soc. Edin., 118. He granted a toft in Haddington to the monks of Coldingham. Chart. Cold., 5. Roger de Quincey, the Earl of Winton, gave the canons of Dryburgh a toft "in villa de Hadington." Chart. Dryb., 106. William's charter to the monks of Newbotle, which was granted between 1179 and 1189, was dated "apud Hadington." There is reason to believe that the Scottish kings had *a court* at Haddington, to which they were studious to reserve certain *services*.

(*u*) That decision was triumphantly recorded by the chronicler of Melrose, 174, as having happened "apud *Hadingtun*, dominica media quadragesima, et Dei adjutori." Happy! had he explained the manner of the trial. He speaks, indeed, of their charters, which were no doubt exhibited, and of *the authority* of the Church of Rome.

(*x*) Ib., 179.

(*y*) Ib., 181; Fordun, l. viii., c. 61. "In cujus nativitate multi gaudebant," adds the chronicler of Melrose.

(*z*) Chron. Melrose, 190.

(*a*) Lord Hailes' An., i., 157. In order to conceal that odious deed, the perpetrators, Bisset and his partisans, set fire to the house in which he lodged.

(*b*) Fordun, lix., c. 61.

from the succession war: In 1293, indeed, it was formally demanded of John Baliol, by Edward I. (*b*). In Haddingtonshire, every parish had its *kirk-town*: But there was no other place, probably, than Haddington, which had acquired the dignity of a *burgh*, till after the Scoto-Saxon period had closed, with the accession of Robert Brnce (*c*).

If we except the devastation of King John in 1216, Haddingtonshire suffered little from foreign or domestic hostility, till the demise of Alexander brought on the succession war. Haddingtonshire partook, indeed, of those servile scenes which were acted at Brigham, at Usettlington, and at Berwick (*d*). But it was not till Edward I. threw aside the flimsy guise of Lord Paramount, that real war began. His progress into the north was obstructed by the castle of Dunbar, and on the 28th of March 1296, Earl Warrenne laid formal siege to this fortlet, which was defended by the Countess of March. Her fortitude gave the bravest men in Scotland time to come to her aid. At the end of a month was fought, under its walls, the battle of Dunbar, with persevering but unlucky valour; and the appearance of Edward himself, on the 29th of April 1296, was the signal for the surrender of that well-defended castle. The fate of Baliol, of Haddington, and of Scotland, was now decided for the present. The valour, the enterprise, the fortune of Wallace during the memorable year 1297, taught the ambitious Edward that the Scottish people, however divided, were not conquered. He again penetrated through the Merse, in June 1298, when he was opposed by the castle of Dirleton, the strength of the Vauses: After a resolute defence it surrendered at length to Anthony Beck, the bishop

(*b*) There is in Ayloffe's Cal., 110, a writ "de summonitione regis Scotiæ coram rege, responsuri pro villis de Berewyk, et *Hadington*." Berewyk here was probably North-Berwick in Haddingtonshire.

(*c*) On the 28th of August 1296, "Alexander le *Barker Provost* del burg de Hadington et tote la commune de meme burg," swore fealty to Edward I. Prynne, iii., 653. Another *le Barker* of this burgh swore fealty to Edward on the same occasion. Id. We may remember the old English story of the king and *The Barker* of Dantre, in Ritson's *Ancient Popular Poetry*. We are instructed by his Glossary that *Barker* was a tanner, so called from his using *bark*. From all those circumstances, we may infer that tanning was a trade of some importance in Haddington at that epoch.

(*d*) In the numerous parliament of Brigham, there seem to have been only three barons who could be deemed the representatives of Haddingtonshire, namely, Patrick, the Earl of Dunbar, Nicol de Graham, David le Marischal, and John de Vallibus, or Vaux. The diocesan, William, bishop of St. Andrews, sat indeed in that parliament, but no other ecclesiastic from Haddingtonshire.

of Durham (*e*). This is the second castle of Haddingtonshire which opposed the fatal entrance of that ambitious king into Scotland, and he now marched forward through the three Lothians to Falkirk, where he again triumphed over a divided people on the 22nd of July 1298, upon a well-fought field (*f*). Yet many a brave man still remained unsubdued, and Edward was induced, during the year 1303, to penetrate to the utmost verge of Moray before he could consider himself as superior of Scotland. In 1305, he endeavoured by his well-known ordinance to settle the government of a distracted country, when the domestic rule of this constabulary was placed in the hands of Ive de Adeburgh, as sheriff of the shires of Edinburgh, Linlithgow, and Haddington.

The accession of Robert Bruce in 1306, to the Scottish throne, made a great change in the affairs of Haddingtonshire and of Scotland. Robert I. gave to *his* town and people of Haddington, a grant of *their liberties*, political and commercial (*g*). Robert II. appears to have granted the *burgh* of Haddington "to the burgesses and community thereof," for payment of £15 sterling yearly into his exchequer (*h*). We may here see the ancient manner of England, by which a town in the royal demesne was converted into a freer form of a town, *in firm.* There were no representatives of *towns* admitted into the Scottish parliament during the Scoto-Saxon period. The epoch of their

(*e*) Lord Hailes' An., i., 256, who says that from the ruins this castle seems to have been a mighty fabric.

(*f*) Ib., 261.

(*g*) Roberts. Index, 10. In 1371, Robert II. confirmed a grant of *the baillies* and *community* of the town of Haddington, to Hugh de Selkyrk. Ib., 93. This intimation shows what was the regimen in older times of this ancient burgh.

(*h*) Ib., 132. Before that epoch in the affairs of Haddington, its revenues had been saddled with several pensioners, who were, no doubt, troublesome riders. Robert I. granted to the abbot of Melrose an annuity out of *the customs* of Haddington. Ib., 3. David II. granted a yearly pension of £20 to Alexander Cockburn, out of *the great customs* of the same burgh. Ib., 43-69. David II. gave an annuity to Angus Dunbar out of the customs of Aberdeen and Haddington. Ib., 53. In 1381, Robert II. granted to James de Douglas, knight, the son of William, the first Earl Douglas, a pension of 200 marks sterling, "pro servitio et retinentia suis," to the king and to John, his eldest son. Ib., 121; and this curious document was printed in Hay's Vindication of Elizabeth More, 54. This pension was to be paid out of the king's *great customs* and other rents, within the king's *burgh* of Haddington, by the hands of the king's *customer* and his baillies of the same burgh. The pensioner to whom those payments were to be made at two terms yearly, as *retainer* to *the Stewarts*, was James Douglas, who succeeded his father William, the first Earl Douglas, who died in 1384; he married the Lady Isabel, one of the daughters of Robert II., the grantor, and he died the 31st of July 1388, fighting Hotspur at Otterburn, without any issue of his marriage. Crawf. Peer., 97.

admission among *The Estates* is 1326, and it is more than probable that Haddington had the honour of being one of those burghs who were first allowed to sit in the legislature of their country. The town of Haddington, with other burghs, contributed to the restoration of David II. On the 26th of September 1357, Adam de Hadinton, and Adam de Congalton, were appointed by Haddington to meet other burgesses for treating of the liberation of David II. (*i*).

The town of Dunbar naturally grew up under the shelter of the castle of the same name, and from the age of Malcolm Canmore, when Gospatrick, the expatriated Earl of Northumberland, settled here, Dunbar became the town in demesne of the successive Earls of Dunbar and March, partaking of their influences whether unfortunate or happy. In 1369, Dunbar, by the Earl's influence, was created by David II. a "free burrough" with limits as extensive as the Earldom of March, with a "market cross," with power to buy and sell, with a *cocquet* and *trone*, and with a "free port at Bellehaven;" and it was granted a concurrent commerce with Haddington, which also was thus entitled to a concurrent commerce with Dunbar (*k*). This burgh was now admitted, by its representative, with other corporations into the Scottish parliament (*l*); and throughout many a change, Dunbar flourished, or declined, according to the fortunes of the nation, whether lucky or adverse.

North-Berwick, which cannot altogether rival Dunbar in its antiquity, belonged of old to the Earls of Fife, with the territory around it. It continued in this great family till the demise of David II. (*m*). Robert II. had scarcely ascended the throne when he granted to William, Earl Douglas, the privilege of a port, with the usual pertinents, to North-Berwick, in emulation probably

(*i*) Rym., vi., 45.

(*k*) Robertson's Index, 89. There was a grant of Robert III. to William Danielstonn of a pension of 20 marks sterling, out of the *great customs of Dunbar*, till the king should provide him in ten marks of land. Ib., 158.

(*l*) Parl. Rec., 282.

(*m*) Isobel, the Countess of Fife, as daughter and heir of Earl Duncan, granted to Margaret Hog an annual rent of two marks, issuing out of her lands of Sydserf, "infra *baroniam nostram* de North-Berwyk." MS. Chart. It was dated at that epoch. She outlived David II., and her charter to Hog was after her decease confirmed by Robert II. Roberts. Index, 114. She had no issue by her four husbands, and on the 30th of March 1371, she resigned her earldom to Robert, Earl of Menteith, the first Duke of Albany, who was heir of entail. Sibbald's Fife, 97. By some arrangement the Earl of Menteith conveyed the barony of North-Berwick, at that epoch, to William, the first Earl of Douglas.

of Dunbar (*l*). It was made a burgh by a charter of Robert III. (*m*), and its representative was admitted into the parliament among the other commissaries of the Scottish burghs (*n*). Haddington, Dunbar, and North-Berwick, are the only burghs in this shire which, since the Union, join with others in sending a representative to the united parliament. Yet are there in this shire, some burghs of barony which do not send commissioners to parliament. Robert I., in consideration of the services of Alexander Seton, erected his town of Seton into a *free burgh* (*o*), with all the liberties and privileges which any other free burgh, belonging to any earl or baron, possessed; yet, with this exception, that the people of Seton should not enjoy the privilege of buying wool and skins for manufacture. Such was the nature of a *free burgh* of barony in contradistinction to a royal burgh. In latter times the town of Cockenzie was erected into a burgh of *barony* (*p*). The two towns of Prestonpans are both *burghs of barony*. In 1489 Dunglass was made a *burgh of barony*, in favour to Alexander Home, the heir of Home, who had contributed so much to the demise of James III. on Stirling-field (*q*). But the towns of Haddingtonshire, whatever were their political state, never rose to any eminence, either from the numbers of their people or the enterprise of their traffic.

When Patrick Earl of Dunbar, the sheriff of the Lothians, attached himself to Bruce, after the battle of Bannockburn in 1314, he thereby acquired the leading of the youth of Haddingtonshire. In March 1318, he led them to the surprise of Berwick, where they learned the art of desultory war under Randolph and Douglas. The people of the same shire were involved in the suspicion and disgrace of the same earl, after the accession of David II. They were a while distracted by the devious conduct of the Earl of Dunbar. They felt the ravages of Edward III. when

(*l*) That great noble gave an obligation, dated the 26th of April 1373, to resign the privilege of a port at North-Berwick, if the same should be found detrimental to the king, to the nation, or to the burghs. Parl. Rec., 129; Roberts. Index, 111. In this document the more curious reader may perceive that there did not exist at that epoch, in the Scottish law, such a proceeding as that of England, under the important writ of *ad quod damnum*. In 1788 there were discovered within the vault of a burial-place near this town, a seal with this inscription: "Sigillum Willielmi Domini de Douglas." Stat. Acco., v., 443. But the Douglases did not bury at North-Berwick.

(*m*) Ib., 99. (*n*) Parl. Rec., 232.

(*o*) Roberts. Index, 27. There was granted by Robert I., at the same time, to Alexander Seyton that he should have a market "on the Sabbath-day." Id.

(*p*) Purvis's Exchequer MS. The burgh of Cockenzie accounted in the Exchequer for *burrough mail* £6 14s. 4d., and for one gold penny £1 13s. 4d. Id. See Dougl. Peer., 706, from the charter.

(*q*) Crawfurd's MS. Notes.

he advanced through the Merse and Lothian, to the conquest of Scotland, in December 1334. They saw the English army, under the Earl of Salisbury, beleaguer the castle of Dunbar in January 1337-8 (*s*). They witnessed the intrepid defence of it, by the heroic Countess of Dunbar, and the bravest of their sons followed the gallant Sir Alexander Ramsay in June 1338, when he marched to succour the castle, and by a successful sally to drive the besiegers from its walls (*t*). In 1432 Haddington partook of the pestilence which then wasted the land (*u*). The people of East-Lothian were involved in the discomfiture of the battle of Durham in 1346, and the losses that were the result; and they partook of the quiet which followed the restoration of David Bruce, and paid their full share of his grievous ransom. They were again involved in those miseries and waste, which were the effects of the hostilities that began in 1376 between the Earls of Northumberland and Dunbar, and ended by a truce in 1381. In the quick succession of warfare and of truces, East-Lothian shared the misfortunes and enjoyed the benefits. The revolt and the expatriation of George, Earl of Dunbar, in 1400, entailed on his earldom many miseries. In August 1400, Henry IV. entered Scotland with an overpowering army, while his fleet sailed into the Forth. He marched through Berwickshire to Haddington, thence to Leith, and from it to the siege of Edinburgh (*x*). In February 1401, Earl Patrick led the Northumbrian yeomen, with the Percys at their head, through Berwickshire to Dunglass, and thence through East-Lothian, beyond the Tyne, to Linton and Preston. Their progress was obstructed by the vigorous resistance of the castle of Hailes, yet their repulse by this obstinate strength, did not prevent the besiegers from burning the villages of Hailes, of Merkhill and Traprain. At length, by the powers of Lothian, the earl and his Northumbrian associates were repulsed to Berwick. Yet this disgrace did not prevent them from invading the Merse in the subsequent season. The youth of Lothian, under Hepburn of Hailes, fought the expatriated earl at Nisbet, on the 22nd of June 1402, with desperate valour but final repulse. Many of them remained on *Slaughter-field*, and many a mother had to lament not so much their fall as their defeat. On the 14th of September 1402, the youth of Lothian again opposed the Earl of Dunbar at Homildon, where they were again discomfited. In the subsequent year, the

(*s*) Lord Hailes' An., ii., 198-200.

(*t*) Ib., 202.

(*u*) Bower, l. xvi., c. 20.

(*x*) On the 15th of August 1400, Henry arrived at Haddington, where he celebrated the assumption of the Virgin, and after remaining three days marched to Leith. Bower, l. xv., c. 2.

earl conducted the Northumbrians through the Merse to Innerwick with the usual waste of predatory warfare (*y*). Yet he found none to hail his approach to Dunbar, but many to oppose his progress. The restoration of the earl by intrigue and sacrifices in 1409, freed the people a while from such misfortunes and disquiet.

The inhabitants of East-Lothian saw the earldom of Dunbar forfeited in 1435, for those offences of George Earl of Dunbar, the father, rather than for the faults of his son (*z*). This is an epoch in the history of Haddingtonshire. Several of its barons, who held their lands of the Earls of Dunbar as subjects superior, became tenants in chief of the king; and some of the landholders attached themselves to the Douglasses, as the weak in those lawless times could not exist without the protection of the strong. Those dues which used to be paid to the baillies of the earls, were thenceforth paid to the steward of the king. Nor were they unconcerned spectators of the rebellious broils which ensued between the Hepburns and the Homes in 1446 for the litigated spoils (*a*). In 1447, the Earl of Northumberland, entering the east borders, burned and wasted Dunbar (*b*), and the people of East-Lothian were involved in the various effects which resulted from the grant of the earldom with all its jurisdictions in 1455, by James II., to the Duke of Albany, his second son. The profligacy, the artifice, the turbulence of that prince as he grew up to manhood, did not promote their quiet or contribute to their profit. One of the first effects was the incitement of hostilities with England (*c*). They saw his castle of Dunbar seized and relinquished, and in 1482 they beheld an English army, which was introduced by his intrigues, encamp in the heart of

(*y*) It should seem, however, that an English garrison was left in the castle of Innerwick, as in 1403, the regent Albany took that fortlet, though with some loss, and razed it to the ground. Bower, l. xv., c. 16.

(*z*) Parl. Rec., 26.

(*a*) In the charter of Coldingham, 82, there is an instrument upon three letters of King James, "de rebellione Patricii Hepburn, miles, occupantis castrum de Dunbar." In the meantime, saith Pitscottie, Archibald Dunbar seized the castle of Hailes in Lothian, and at the first assault he won the same, and slew them all that he found therein. But shortly thereafter he was seized by James Douglas, in whose will he put himself and castle without any further debate. Fol. Ed., 22.

(*b*) Ib., 24-5.

(*c*) The parliament of April 1481, under James III, ordained the "furnishing of castellis." The king gave directions to provide and *stuffe* his *castellis of Dunbar* and Lochmaben; and every lord was required by the same example to supply his castell, as *Tantallon, Dunglas, Hailes,* Home, and Edrington, that they may be defendit. Black Acts, fol. lxvi., b.

Haddingtonshire, till their old adversaries obtained from his treasons the surrender of Berwick for ever. After the forfeiture of Albany, his associates obtained many of his treasonous objects by the dethronement and death of the king, his indulgent brother, on Stirling-field, and in October 1488, Patrick, Lord Hailes, and Alexander Home, were appointed by the first parliament of the infant James IV., to be the king's lieutenants, with more than royal power, till the king became twenty-one, over the Merse, Lothian, the *wards of Haddington*, Linlithgow, and Lauderdale (*d*). Similar powers were invested in particular persons over every other shire. Such was the result of so much intrigue and so many treasons. The people murmured when they felt themselves delivered over to the domination of so many petty tyrants, while the assassination of their beneficent sovereign was passed over in silence (*e*). In 1489 several persons were appointed by parliament, in the different districts throughout the realm, to collect the king's revenues and dues. Patrick, Lord Hailes, the Earl of Bothwell, was named for that end within the shires of Edinburgh, *Haddington*, Kirkcudbright, and Wigton (*f*). Alexander Home, the Great Chamberlain, was appointed for the same purpose within the earldom of March, the lordships of Dunbar and *Cockburnspath*, in Ettrick-forest and Stirlingshire (*g*). Thus were the people ruled and over-reached during the infancy of James IV. A new day dawned on East-Lothian at the marriage of James with the Lady Margaret of England. With other great estates which were settled on her in dower, were the whole earldom of March, the lordships of Dunbar and of *Cockburnspath (h)*. In this manner, then, did Queen Margaret become connected with East-Lothian, which partook of her adventures, her favours, and misfortunes.

Yet was not Haddingtonshire much affected in its domestic affairs during the two busy reigns of James IV. and James V. The youth and the aged of Lothian indeed, felt in 1513, the disasters of James IV. at Floddon-field; but their firmness on so mournful an occasion did great honour to their fortitude. They profited little from the aid of France. Albany, the son of the expatriated duke of that name, claimed Dunbar castle, as heir of him who had nothing to transmit. In November 1514, this ancient fortlet was delivered to

(*d*) Parl. Rec., 337. (*e*) Ib., 373. (*f*) Ib., 364. (*g*) Id.

(*h*) The castle of Dunbar with the keeping thereof, the king reserved to himself. On the 26th of May 1503, James Logan, the sheriff of Edinburgh, went "ad crucem fori," to the market-cross of Dunbar, and there personally gave seisin and possession corporal of the earldom of Dunbar and lordship of *Cowburnspecht*, to the queen's attorney, in the presence of *the baillies of Dunbar* and other respectable witnesses. Rym., xiii., 63-66-7.

De la Bastie, as Albany's commissioner; and it was possessed by Frenchmen till 1536, when it was delivered to the Scottish government. Amidst the intrigues of the regency of Albany, Lord Home obtained, on the 9th of June 1516, Dunglass castle (*i*). The mis-government of Albany was succeeded by the domination of Angus (*k*). After every attempt had failed to resist his power, James V., by his own enterprise, effected his deliverance, in 1528, from the thraldom of that ambitious noble. Angus now retired to Tantallon castle, where he defied all the powers of the Scottish government (*l*). This fortalice was besieged by James V., without skill or means, in September 1528; yet was it surrendered to the king on the 4th of December 1528, by a sort of compromise, which seemed to show the weakness of the contending parties. In July 1537, James V. is said to have inspected his artillery with studious care, in the castles of Tantallon, and Dunbar (*m*), and in 1541, the connection of Margaret, the queen mother, with Haddingtonshire, whether happy or unfortunate, ceased, when she was honourably laid by the side of James I., in the chartreuse of Perth, at the end of a diversified life of two and fifty years.

The premature demise of James V., on the 14th of December 1342, by its effects entailed on Haddingtonshire many miseries. One of the first of those consequences was the struggle of Henry VIII. and his son to obtain James's infant daughter, with her kingdom, by any means (*n*). In May 1544, the Earl of Hertford conducted the English army, in two hundred ships, from Tynemouth to the Forth, "a notable river of Scotland," saith the old historian. "having theutry

(*i*) Amidst the struggles of those times, Dunglass castle was burnt in 1536.

(*k*) In 1526, the Earl of Angus accompanied by his brother George and their associates, burnt and wasted the house and lands of Patrick Hepburn of *Bolton*, and carried himself into captivity. For every oppression, Angus obtained from his own parliament an act of indemnity. See the Parl. Rec., 563-664, wherein those enormities are enumerated.

(*l*) The barony of North-Berwick with Tantallon castle had been forfeited by the Earl of Douglas in 1455. In 1479, the lands and castle of Tantallon were granted by James III. to Archibald, the fifth Earl of Angus, and were erected into a *free barony*. Dougl. Peer., 191, from a charter in the public Records. The king was but ill requited by the earl. Angus constantly pursued James III. to his dethronement and death.

(*m*) On the 10th of December 1540, the lands and lordship of Tantallon, with the fortalice, were annexed to the crown by parliament. Parl. Rec., 623. On the 15th of March 1542-3, the Earl of Angus's forfeiture was reversed. Ib., 650.

(*n*) See Sadler's Negotiations throughout.

"betwene two islands, called the Basse, and the Maye (*o*)." On the 15th of May, the English army having ravaged both of the shores of the Forth, marched for England. Setting out from Leith, after firing every house, on the evening of the 15th of May, the army encamped at Preston, a town of Lord Seton's, "where they burnt and razed his chief castle, called Seton, which was right fayr," and destroyed his orchards and gardens, which were the best that they saw in the whole country: "And they did Lord Seton the more despyte, be-"cause he was the chief labourer to help their cardinal out of prison, the only "auctor of their calamytie (*p*)." The same day the spoilers burnt a fair town of the Earl of Bothwell's, called Haddington, "with a great nonry, and a house of freres (*q*)." The next night they encamped, at Dunbar; and on the subsequent morning it was fired, "men, women, and children being suffocated, and brent (*r*);" 'and after a slight opposition at a streight, called *the Pease*, by the Lords Seton, Home, and Buccleuch, with the whole power of *the Merse* and Teviotdale, the ravagers arrived at Berwick, where they met their fleet from Leith (*s*). The Scottish chieftains seem to have constructed a golden bridge over *the Pease* for their retiring enemies.

Henry VIII., dying on the 28th of January 1547, left his passions and his power to the ministers of his son, Edward VI. His war with Scotland was immediately adopted. The Protector Somerset, whose sword and torch had been already felt by the Scots, entered the borders on the 4th of September 1547. The castle of Dunglass, which, by Lord Home, was soon rendered; and was by them immediately razed. Marching forward, the invading army was soon stopped by the two castles of Thornton and Innerwick, which stood on craggy foundations, and were separated, saith Patten, a stone's-cast asunder by a deep gut, wherein ran a little river (*t*). But their resistance was soon overcome by the English artillery. The invaders marched forward, leaving the castle of Dunbar,

(*o*) See the "Ancient Account of the expedicion in Scotlande, 1544," throughout. The writer delights to tell, in the fashion of the times, how much they *brente* and how much they wasted.

(*p*) Thus the old writer of the Account of the Expedition, 1544. (*q*) Id.

(*r*) The ancient historian of that expedition.

(*s*) The ancient historian of that invasion has left us a very useful specification of the burghs, castles, and towns, which were burnt and desolated by King Harry's army in Scotland; and of these there were within Haddingtonshire, Preston town and the castle, Haddington town with the freres and nunnery, the town of Dunbar, Tranent, Markle, Traprain, Heatherwyke, Belton, and East-Barnes.

(*t*) See Patten's Expedition, and Grose's Antiq., i., 90, 91. Both those castles were destroyed, and the towns burnt.

on the right, after some slight skirmishes. They also passed the castle of Hailes as if they looked onward to some greater object, and on the 9th of September they defeated a part of the Scottish army at Fawside-brae, on the border of Edinburghshire, when Lord Home was wounded and his son taken (*u*). This engagement seems to have led on the hostile armies to the battle of Pinkie, on the subsequent day, when the Scottish powers were defeated with such mighty loss as would have totally dismayed any other people (*x*).

The protector Somerset marched on the morrow to Leith. Here he remained a week, when he departed southward, leaving the town and shipping in flames, and marching by Cranston and Soutra to Lauder, and thence to Kelso and Roxburgh. Here he busied himself in re-fortifying that ancient fortalice, and on the 29th of September he resigned the command of his victorious army, and proceeded to London, leaving Lord Gray, the king's lieutenant, on the borders, with English garrisons in the castles of Roxburgh and Home, who soon after possessed Lauder fort.

Experience seems to have had little influence on the rulers of England, who had learned the methods of dictation in the school of Henry VIII. Their prejudiced eyes could not perceive that they would, by violence and warfare, force Scotland and her infant queen into the bosom of France (*y*). In April 1548, Lord Gray advanced from those forward positions through Lothian, and took the castle of Yester, and fortified Haddington. In this ancient burgh he left a strong garrison, and after wasting the country by every mode of inveterate hostility he retired into England. He had scarcely departed when six thousand French troops, under an able commander, arrived at Leith. It was immediately resolved to besiege Haddington. During the siege, on the 7th of July, the regent Arran held a parliament within the abbey, which stood without the town, when it was resolved to send their queen to France (*z*). The siege was finally raised, as it was found impossible to prevent supplies from being thrown in to its resolute garrison (*a*). Meantime the country was ravaged, and the town of Dunbar was burnt by the German mercenaries in

(*u*) Fawside castle was soon after burnt, and those within, for their ill-will, were smothered in it. Patten.

(*x*) Patten ; Border History, 561.

(*y*) They published, indeed, a conciliatory declaration, which was not heard amidst the din of arms.

(*z*) Keith Hist., 55 ; and Parl. Rec., 730-1.

(*a*) An attempt to surprise Haddington, in October 1548, also failed. Bord. Hist., 566.

the English pay (*b*). In the subsequent year Haddington was again beleaguered with as little success (*c*). The war was now carried on without an object. The queen had been driven to France by the king, who wished to marry her, and Scotland could not be conquered, though it might be distracted by intrigue, and over-run by hostility (*d*). A peace was made between England and France on the 24th of March 1549-50, which comprehended Scotland, and which, by relinquishing to North-Britain, Haddington and Dunglass restored the ancient limits of the two conterminous kingdoms (*e*). Yet during such times, in such circumstances, such a peace could be only of short duration. The subsequent inroads, however, and the following truces seem not to have involved Haddingtonshire in their mischievous consequences.

Neither was East-Lothian much affected by the fanaticism and turbulence which continued to distract Scotland by the concussions of two religions and the rivalry of two queens, after the return of Mary Stewart to her native kingdom in 1561. The night after the murder of Rizzio, on the 9th of March 1566, the queen made her escape from this odious scene with her guilty husband to Seton castle, and thence to Dunbar, a fortlet of more security. In this strength, the seat of so many actions, the unhappy queen remained some days, when she returned in a sort of triumph to the castle of Edin-

(*b*) Ib., 565-6.

(*c*) Ib., 569. On the 22nd of March 1549-50, letters were written to Lord Bowes, not to proceed in conveying the ordnance of Haddington from Douglas, nor to send too large a supply of victuals to Lauder or Dunglass, there being a likelihood of peace. Privy Council Reg. of that date.

(*d*) Alexander Crichton of Brunston, who is often mentioned by Sadler, was a very dangerous intriguer against his country. He was condemned by parliament as a traitor, on the 14th of December 1548. This attainder was, however, reversed on the 5th of December 1558. Parl. Rec., 744. Cockburn of Ormiston was equally active against his country, and was also forfeited by parliament and restored. Ib., 746. In 1558, Cockburn again engaged in similar intrigues, and being engaged to bring from Berwick £1900 for the insurgents, was attacked near Haddington by James, Earl of Bothwell, acting, perhaps, as sheriff of Lothian, who seized the money. Keith's App., 43. On the 28th of February 1547-8, the governor and council, considering the divers and *enorme* crimes of the lairds of Ormiston and Brunston and of Saltoun, ordered that the houses of Saltoun, Ormiston, and Gilberston, should be casten down. Ib., 56-7.

(*e*) Rym., xv., 255 ; Keith, 55-6. In consequence of this peace, the forts of Lauder, *Dunglass*, Roxburgh, and Eyemouth, were ordered to be casten down. The forts of *Dunbar* and others were directed to be garrisoned during the peace. Ib., 63. In 1551, the fort of Aberlady at Luffness, which was built during the late war, was ordered to be destroyed, but the house to remain as the property of Patrick Hepburn of Waughton. Ib., 66.

burgh (*f*); but she was soon doomed to suffer other insults. On the 12th of April 1567, the queen, returning from Stirling to Edinburgh, was seized by Bothwell at Cramond bridge, and carried thence to Dunbar castle, the present scene of his habitual baseness. After she was thus induced by ravishment to marry this guilty personage, she was obliged to flee with him to Borthwick castle, on the 12th of June 1567, and thence to retreat for refuge to Dunbar (*g*). In this secure fortalice she was soon joined by several nobles. Yet was she so unadvised as to set out for Edinburgh, the seat of her foes. Having advanced to Gladsmuir, which is noted for events, she issued a proclamation in order to contrast her own conduct with that of her insurgent subjects (*h*), and she went thence to the loyal house of Seton, where she was always welcome, and ever safe. On the morrow she surrendered herself on Carberry-hill to the insurgents, who carried her in mournful triumph to Edinburgh, where she was dethroned, and whence she was sent a prisoner to Loch-Leven castle. From Carberry-hill Bothwell returned to Dunbar castle, whence after some days he departed for Orkney, and from those unfriendly isles sailed for the coast of Norway, where he was captured as a pirate. In the prisons of Denmark he finished, during the year 1576, his criminal career (*i*). On the 27th of September 1567, Dunbar castle was besieged and demolished by the regent Murray (*k*). The people of Haddingtonshire, owing to whatever influence, did not approve of that revolution, and the regent Murray commanded some of the principal landholders to submit to his rule on pain of treason (*l*). The town of Haddington was specially required to acknowledge the regent's title, and to obey his power (*m*). During the thirty years of civil broils which ensued, under the misrule of four regents and a feeble king,

(*f*) Spottiswood's Hist., 195. (*g*) Ib., 205.

(*h*) Her manifesto may be seen in Spottiswood's Hist., 206.

(*i*) Ib., 207; Keith's App., 142-45.

(*k*) Birrel's Diary, 12; Keith, 408. On the 23rd of September 1567, "the *Browsters*, *Baxters*, and *Fleshers* of the town of Haddington, were ordered by the privy council to pass forthwith with *baked* bread, *brewed* ale, and flesh, to furnish the camp besieging Dunbar castle, at competent prices, under the pain of being reputed aiders of the rebels." Keith's Hist., 456. The castle was delivered to the charge of the town of Dunbar till parliament time. Id.

(*l*) Keith's Hist., 460.

(*m*) For those ends, the people of the town of Haddington were called together, and thereupon, with one voice, gave their assent, being unable to resist. Id. There was an attempt made soon after to surprise Dunbar, but it failed, owing to the attachment of the townsmen to Lord Home. Ib., 473.

Haddingtonshire seems to have suffered more of mortification than of waste (*n*). On the 31st of March 1603, the accession of James VI. to the crown of England was proclaimed at the cross of Edinburgh (*o*), and he set out for London on the 5th of April, taking his way through Haddington to Dunglass (*p*), and thence to Berwick-upon-Tweed, where he was received on the morrow with loud acclaims.

Throughout the subsequent century of successive changes, Haddingtonshire was debased by the fanaticism, or ruined by the follies of those guilty times. East-Lothian felt its full share of the devastation and discomfiture of the eventful year 1650. On the 22nd of July, in this year, Cromwell passed to the northern side of the Tweed. The Scots, unwilling to meet him in conflict, adopted the wise policy of Robert Bruce, by laying waste the country from Tweedside to Edinburgh. Here, Lesley, the Scottish general, entrenched himself to await the onset of his able antagonist. It is a sad reflection that it was of little importance to a harassed people whether the fanatical Lesley or the miscreant Cromwell should prevail. By resolute circumspection, Lesley obliged the enterprising Cromwell to retrace his steps through Lothian to Dunbar. The Scots, as they were too much influenced by the fanaticism of their ecclesiastics, did not practise the wise policy of smoothing the ways and clearing the passes for a retiring enemy. Lesley seized the hills which commanded Dunbar, but the committee-men, who directed his spirit, would not allow him to obtain by time, what might be lost by action; and on the 3rd of September 1650, he marched down upon Cromwell, who gave him a total defeat which decided the fate of Scotland as an independent country (*q*). The Restoration only delivered Haddingtonshire to the domination of the rapacious Duke of Lauderdale. It partook of the disadvantages and benefits of the Revolution, and it at length enjoyed the thousand advantages of quiet and security which undoubtedly resulted to it from *the Union.*

It had been happy for the nation if the ministers of George I. had been more circumspect and less vehement! There would have been no treasonous insurrection in 1715. On the 1st of August, in that year, the Earl of Mar

(*n*) In May 1598, about a third part of Haddington town was burnt, for the reparation whereof, a general contribution was raised. MS. Notes from the Aberdeen Records of the 24th of July in that year. There is a *prospect* of the town of Haddington in Slezer, 1693, No. 21.

(*o*) Birrel's Diary, 58.

(*p*) King James with his retinue lodged during the first night of his journey in Dunglass castle. Stat. Acco., xii., 409.

(*q*) In 1652, it was by an act of the ruling powers incorporated with England.

retired from court, and on the 16th raised the standard of revolt in the Highlands of Aberdeenshire without any appearance of opposition (*r*). Weakness pervaded every department, while violence predominated in the cabinet. Brave men meantime gathered round that standard with swords in their hands, from every mountain and from every glen. Brigadier Macintosh, with 2,500 Highlanders, passed the Forth from Fife to North-Berwick on the 9th of September, though several of the king's ships lay in that estuary. He immediately advanced to Haddington; the Marquis of Tweeddale, the king's lieutenant, retiring on his approach, and withdrawing the garrison from Seton-house. Macintosh marched forward from Haddington to Leith, when he seized its fortlet. The Duke of Argyle was too weak to assault him. Yet the Highlanders, seeing preparations made to invest them, evacuated the place, and marching southward took possession of Seton-house, which could not be retaken without artillery. Macintosh soon after marched forward to Kelso, in order to co-operate with the Northumbrian insurgents. The divisions among the rebels, the capture of the Lancashire Preston, and their doubtful conflict on Sheriffmuir, broke the spirit of this rebellion, which soon after ended with the punishment of its chiefs. Yet no good consequence ensued from those sad events. Punishment did not operate as an example, the same weakness induced a similar insurrection, and the safety of the state was again put by improvidence on the doubtful cast of several battles.

The year 1745 saw a new insurrection of the same nature, but of more dangerous progress. The standard of revolt was again raised within the recesses of the Highlands. The rebels took possession of the metropolis of Scotland on the 17th of September in the same year, whatever could be opposed to their progress. General Cope, the king's commander, had marched from Edinburgh, on the 19th of August, to seek the insurgents in their native wilds, and to fight with men who had equal bravery and more zeal than his own troops, under chiefs who knew how to command their obedience. He was glad to avoid them by turning to Inverness on the right. The insurgents now

(*r*) When John, Duke of Argyle, was appointed to command the king's troops in North-Britain, he represented to the king's ministers the inefficiency of the force with which he was to oppose such an insurrection. On his way to Scotland he again wrote them for sufficient reinforcements, but without effect. When he arrived at Edinburgh, he again represented the insufficiency of his army to meet the insurgents, but his solicitude was deemed want of zeal. The Duke's letter to Stewart, which remains in the paper office, records the zeal of the king's general and the imbecility of his ministers. Such was the state of Scotland at that epoch, that the government was obliged to send down cash for paying the king's troops. Treasury Registers.

marched southward with their usual energy. The king's general was thus reduced to the necessity of proceeding to Aberdeen, where he arrived on the 8th of September, with design to transport his army by sea to Lothian, and on the 16th of September he landed his troops at Dunbar. On the 19th, having received a reinforcement of dragoons, he marched through Haddingtonshire, towards the metropolis, whence the insurgents moved forward to meet him in battle. On the 21st the two armies met at Prestonpans, when the king's troops were discomfited. They now retreated southward, upon Lauder and Berwick; while the insurgents returned, triumphantly, to Edinburgh (*s*). This rebellion was completely quashed by the battle of Culloden on the 16th of April 1746. From that epoch, Haddingtonshire may be said to have enjoyed rather the benefits of peace, in common with other internal districts, than the waste of war or the disturbance of insurrection.

The king's *rental* of Haddingtonshire that was yearly accounted for in the exchequer at the Restoration, amounted to £9,988 1s. 10d. Scots money, from which, however, there were deductions amounting to £5,099 4s. 5d., which had arisen from the penury and rapaciousness of many years (*t*).

In this rental the towns of East-Lothian were included. Haddington paid yearly £130 Scots for its *firm*. How early this town of the royal demesne became a burgh, we have already seen (*u*), and we have traced its history through many eventful ages (*x*). The burgh of Dunbar paid into the exchequer £4 Scots for its firm yearly; and for its mills £17 6s. 8d. Dunbar

(*s*) This conflict was sometimes called the battle of *Gledes-moor;* and there is a humorous petition in the Scots Magazine, 1745, 521, from Preston-Pans, Preston, Cockenzie, Seton, and Tranent, stating that as the battle was fought on a field which is almost surrounded by those towns of Haddingtonshire, they may not be deprived of the honour of giving it a name.

(*t*) Mr. Solicitor Purvis's Exchequer MS.

(*u*) There was a ratification by parliament of the burgh of Haddington, on the 5th of June 1592. Unprinted Act of that date. There was another act in favour of this burgh on the 19th of December 1597. Unprinted Act of that date. Sir William Seton was then provost of this burgh.

(*x*) In 1296 Haddington had a provost who swore fealty to Edward I., as we have perceived in Prynne. But in 1624, King James granted to the burgesses that they should have in future, for their better government, a provost, bailies, a treasurer, and other officers. This charter of James VI. was confirmed by the first parliament of Charles I. The corporation consists of a council of 25 persons, including the provost and bailies, 16 merchant councillors, and 9 trades' councillors. The taxes which Haddington paid in 1556, in 1695, and 1771, evince how inconsiderable a corporation Haddington is. Gibson's Hist. Glasgow, 78, 103, 120; and since the Union, Haddington joins with Lauder, Jedburgh, and North-Berwick, in choosing one representative in parliament. [See also Miller's Lamp of Lothian, 1844, and Martine's Burgh of Haddington, 1883. The population of Haddington in 1881 was 4043.]

of old was the town in demesne of the Earls of Dunbar (*y*). It had arisen under the shelter of his castle, and it obtained a charter from David II. erecting it into a royal burgh, and another charter from James VI., empowering the inhabitants anew to choose a provost, bailies, councillors, with other corporate officers (*z*). The whole revenue of this incorporation, as reported to parliament in 1788, was only £668 17s. sterling. Dunbar seems through every age to have been a town of small inhabitancy, little means, and less ability (*a*). Since the Union, it partakes, with Haddington, North-Berwick, Lauder, and Jedburgh, in choosing one representative to the united parliament. North-Berwick is a town, ancient but inconsiderable (*b*). It is not quite certain whether it owed its origin to its religious establishment or to its port. It owed its incorporation as a royal burgh to the charter of Robert III. (*c*). Its whole revenue, as returned to parliament in 1788, was only £26 14s. 4d. sterling. It has always been inconsiderable, as we may infer from the smallness of the taxes which it has paid at successive periods to the public contributions (*d*). With the royal burghs of Haddington and Dunbar, Lauder and Jedburgh, it votes for one representative to the united parliament.

From those considerations, with regard to the towns of East-Lothian, which have been inconsiderable in every age, it is natural to advert to the *landowners* of the same district during the 12th, 13th, and 14th centuries.

The archbishops of St. Andrews were superiors of the lands of Broxmouth, Tyninghame, Aldhame, Scougal, Gilmerton, and others in East-Lothian, which were formed into *a regality*, that extended over the whole lands of the

(*y*) Earl Gospatrick, who enjoyed the earldom from 1147 to 1166, granted to the monks of May a toft lying near *his port* of *Bele* [Bellhaven]. Chart. of May, 26. Robert III. granted to Robert de Danielston 20 marks sterling, out of the great customs of Dunbar. Roberts. Index, 158.

(*z*) Dunbar had of old *a serjeant*, and there were allowed to this officer in the Exchequer Account 2 bolls of wheat and 2 bolls of bear. This *serjeant* seems to have disappeared amidst the confusion of Charles I.'s reign. "Et tunm deest officium deest beneficium," saith Mr. Solicitor Purvis in his MS. Observ. on the Exchequer Rental. There was an act of ratification passed in favour of the burgh of Dunbar on the 11th of June 1640. Unprinted Act.

(*a*) See Gibson's Hist. Glasgow, 78, 103, 120; [and Miller's History of Dunbar, 1830 or 1869. The population of Dunbar in 1881 was 3,661.]

(*b*) It is certainly as old as the 13th century, as Berwick-upen-Tweed was thus early called sometimes *Suth*-Berwick. It was so called in 1267 in the Chartulary of Coldingham, 72, and in 1275 by the Chartulary of Kelse, 343.

(*c*) Roberts. Index, 99. Its municipal government consists of a council, formed of twelve persons, including two bailies and a treasurer. There was a ratification of North Berwick's infeftment passed on the 24th of June 1609. Unprinted Act.

(*d*) Gib. Hist. Glasgow, 78-103-120; [and Ferrier's North Berwick, 1871. Population in 1881, 1,698.]

archbishopric lying southward of the Forth; and this jurisdiction was executed by the archbishop's *justice general* (*e*).

The earls of Dunbar, of whom we have already seen so much, were undoubtedly, during those times, the greatest proprietors of lands and the only earls on the south of the two friths. They enjoyed an extensive tract along the eastern parts of this country, comprehending Dunbar, Whittinghame, Spott, Pinkerton, Beil, Hailes, Merkhill, and Fortoun, with other East-Lothian territories. Their castle was Dunbar, but their manorial courts were held at Whitingham. They had, as we may suppose, several vassals who held their possessions under them till the grievous forfeiture of this illustrious family in January 1435 (*f*). Walter, the son of Alan, the *first Stewart*, obtained from the bounty of David I. the extensive territory of *Innerwick*, in the south-eastern parts of this shire, and the superiority of the Stewarts of Scotland over Innerwick remained till the recent times of Charles II., as we know from the public archives. We may easily suppose that this very opulent family had many vassals in the large territory of *Innerwick* (*g*). The manor of *Keith*, in

(*e*) On the 1st of October 1586, Patrick, the archbishop of St. Andrews, appointed Robert, Lord Seton, to the office "Justiciariæ generalis terrarum nostrarum itineris justiciariæ et coronatoris regalitatis Sanctæ Andreæ," south of the Forth. An act of parliament passed on the 4th of August 1621, in favour of the Earl of Winton, anent the regality of St. Andrews, south of the Forth. Unprinted Act of that date. That office was sold by the Earl of Winton to the Laird of Hopetoun, and John Hope of Hopetoun, obtained a charter for it from the archbishop in 1677. Reliq. Divi. Andreæ, 68-9.

(*f*) Among those vassals were the Dunbars of Beletun, who sprung from Edward, a younger son of Gospatrick the Earl, who obtained from his father the lands of Beletun with the mill. Edward granted to the monks of May, a chalder of meal yearly out of his mill of Beletun. Chart. May. 27. This branch seems to have early withered away. The *Londons* of *Fortoun* were also vassals of those great Earls. Of those Londons, the earliest was John de *London*, who lived under David I. He left two sons, *Nes* and *John*, who flourished under William the Lion. Nes, who inherited Fortoun, gave his brother John some lands in west Fortoun, and some in the parish of Liuton, as we know from the Chartulary of Newbotle. Nes was succeeded by his son, *Nes de London*, who held the territory of Fortoun under the Earls of Dunbar in 1202. Ib., 116-18-19. The Frasers and the Gourlays held Hailes under the Earls of Dunbar.

(*g*) Ranulf de Kent was one of the earliest of those vassals, who moreover obtained from Walter, the son of Alan, a mark of silver yearly from his mill of Innerwick. Chart. Paisley. Ranulf seems to have been succeeded by Robert, who left three daughters, Ada, Emma, and Helena, who shared his lands, and married William de Hawkerston, Richard de Hawkerston, and John de Mundegumre. Chart. Kelso, 249. There were other vassals, some of them of less and some of them of greater note. Among these there was a family of the surname of *Glay* during the 13th century. Under David II. this family ended in a female heir, Isabel, the daughter of Sir Roger de Glay, and she

East-Lothian, was obtained from David I., by Hervey, the son of Warin, and from the lands, the possessors assumed the name of *Keith*. His son, Hervey de Keith, was mareschal of Scotland under Malcolm IV. and his successor, and hence the office became annexed to the manor, which was distinguished by the name of Keith-*Marshal*. Philip de Keith, by marrying the daughter of Simon Fraser, obtained the other manor of Keith, and thus the two manors became distinguished; the one by the name of Keith-*Marshal*, the other by the name of Keith-*Simon*. This family also possessed the territory of Johnstown, which adjoined Keith-Simon on the south (*h*). The Keiths were raised from some debasement by Robert de Keith, who obtained from Robert Bruce a new grant of all those lands, with the addition of considerable territories in Aberdeenshire. But this great king, by his grant, again annexed the office of *marshal* to the manor of *Keith* (*i*).

The manor of *Saltoun* was held, during the 12th century, by the more opulent family of the Morvilles, who, with their posterity, were constables of Scotland till the accession of Robert Bruce. Within this manor of Saltoun lay the lands of Herdmanston, which were granted by Richard de Morville to Henry de St. Clair, who served this great family as their sheriff (*k*). Henry was succeeded by his son, Alan de St. Clair, who obtained from William de Moreville the lands of Carfrae in Upper-Lauderdale. When the successors of the Morevilles and the lords of Galloway were forfeited on the accession of Robert Bruce, the Sinclairs of Herdmanston became tenants in chief. By the bounty of the crown and the marriages of heiresses, the Sinclairs of Herdmanston acquired considerable estates in other shires of Southern Scotland.

Robert de Quincy, a Northamptonshire baron, acquired the extensive manor of *Traverent*, the *Tranent* of modern maps, from William the Lion, who made

married John de Hambleton, the second son of Sir Walter Hambleton of Hambleton; and from this marriage sprung the family of Hamilton of Innerwick, who acquired also the lands of Ballincrieff and Luffness in East Lothian, and their posterity flourished here till our own times. Dougl. Baron., 460-3. The Earls of Haddington are descended from this family. Their progenitor was Thomas Hamilton, the second son of Hugh Hamilton, who flourished under James V.; and his grandson, Sir Thomas Hamilton, was created in 1613 Lord Binning and Byres, Earl of Melrose in 1619, and Earl of Haddington in 1627. Dougl. Peer., 318.

(*h*) Chart. Soltre, 26-36-7.

(*i*) Roberts. Index, 11.

(*k*) Diplom. Scotiæ, pl. 75; Chart. Glasgow, 163-5. During the reign of Malcolm IV., the territory of *Brokesmouth*, in the east of this shire, was held by William de Morville and Muriel, his spouse, who brought him no issue, and after the death of William Morville married Robert de Landeles, who enjoyed with her this manor of Broxmouth. Chart. Kelso, 320.

him justiciary. He was succeeded by Seyer de Quincy, the Earl of Winton, and died amidst the holy war in 1219. The manor of Tranent now passed to his son, Roger de Quincy, who, by marrying the eldest daughter of Alan of Galloway, became constable in 1234; and Roger, dying in 1264, left three daughters who shared his vast estates in Scotland (*l*). This manor was forfeited by their successors, William de Ferrers, and Alan le Zuche, who adhered to Edward II. when the fortune of Robert Bruce prevailed (*m*). On the manor of Tavernent lived in 1289, Helen la Zuche, one of the co-heiresses of Roger de Quincy; and there resided with her Alianor de Ferrers, who came into Scotland to claim her dower as the widow of William de Ferrers of Groby, and who was thence carried away forcibly by William Douglas of Douglas. The ravisher was now pursued by Edward I. for his violence, and for the avail of his wife's marriage, but he made his peace in 1291 by a fine of a hundred pounds (*n*); and this was merely a feudal ravishment which frightened the Scottish genealogists. Travernent was forfeited by the adherence of its owners to Edward II., and Robert Bruce conferred their forfeitures on Alexander de Setoun (*o*). [See M'Neill's Tranent and its Surroundings, 1884.]

During the reign of David I., Seiher de Say, who emigrated from England, obtained from the Scottish king some lands in East-Lothian, where he settled, and to which the emigrant gave the name of *Say-tun*. Seiher was succeeded by his son Alexander, who flourished under Malcolm IV., and enjoyed *Saeton* and Winton in Haddington, and Winchburgh in West-Lothian. By several descents, all those lands came to Sir Christopher Seton, who married a sister of Robert Bruce, and who fell in 1306, in support of his crown, under the axe of Edward I., and he was succeeded by Alexander de Seton, who obtained from his uncle, the Scottish king, various lands in the Lothians and in Berwickshire (*p*). This respectable family was ennobled by the title of Lord Seton under James I., and in 1600 by the higher rank of Earl of Winton, which were all sacrificed to mistaken principles (*q*).

Under David I., settled in East-Lothian, Hugh Gifford, an English emigrant. He was succeeded by his son Hugh, who rose to eminence under

(*l*) Dug. Bar.. i. (*m*) Roberts. Index.

(*n*) Dug. Baron, i., 267, states those curious facts from the Tower Records. Crawfurd's Peer., 95. intimates that marriage of Douglas; but he idly miscalls the lady Margaret, the daughter of Ferrers, Earl of Derby. (*o*) Robertson's Index, 7, 10.

(*p*) Alexander de Seton thus obtained *Tranent*, including *Fawside*, the lands of le Zuche in Nadref, Elphinston and Barns in East-Lothian, Gogar in Mid-Lothian, Dundas in East-Lothian, and Halsington in Berwickshire. Roberts. Index, 7-10-11-15.

(*q*) Dougl. Peer.. 701.

William the Lion (*a*), who confirmed his possessions and gave him the additional territory of *Yester*, in this county, which became their principal seat. He possessed other lands in East-Lothian, and the manor of *Tealing* in Forfarshire, and he was of sufficient importance to have his own sheriff, according to the practice of a feudal age (*b*). By various descents the territory of Yester came down to John de Gifford, who flourished amidst the struggles of Robert Bruce, and acquired the manor of Morham, by marrying Euphemia, the heiress of Sir John Morham. In 1418 the male heirs of this ancient family having failed, with the death of Sir John Gifford, his large estates descended to four sisters, when Jean, the eldest, by her marriage, transferred *Yester* to Sir John Hay, the progenitor of the Marquis of Tweeddale (*c*).

During the twelfth century, an English emigrant named Lindsay, became possessed of the territory and port of *Luffenach*, which has been corrupted to *Luffness* on the northern shore of East-Lothian. Under William the Lion, David de Lyndsay, the laird of *Luffenach*, enjoyed this estate (*d*). This family seems to have failed during the struggles of David II.'s reign (*e*). But contemporary with those Lyndsays, David the father, and David the son, of *Luffenach*, were the Lyndsays of Crawford, David the father, and also David the son who were benefactors to the monks of Newbotle (*f*). During the reign of Alexander II., there flourished David de Lyndsay of Brennewell, who appears to have had some connection with Ermengard, the Scottish queen, who died in 1233 as he gave to the monks of Balmerino twenty shillings yearly to enable them to celebrate her anniversary (*g*). This David de Lindsay obtained from Gilbert, the Earl-Mareschal of England, all his lands of Garmylton and Byres in this shire (*h*). Gilbert, Earl-Mareschal, who made that grant to

(*a*) Rym., i., 40. (*b*) Chart. Newbotle, 89.

(*c*) Dougl. Peer., 709-10; but Douglas and Crawfurd, whom he copied, did wrong in placing the Giffords in the peerage of Scotland, as they appear to have never sat in parliament, and to have never enjoyed any title.

(*d*) Chart. Newbotle, 210. He was succeeded by his son David, who granted to the monks of Newbotle perpetual freedom from *tolls* in the port of *Luffenach*. Ib., 219.

(*e*) David II. granted the barony of *Luffness* to Walter Bickerton. Roberts. Index, 41.

(*f*) Chart., 144-54.

(*g*) Chart. Balmer., 19. This grant was confirmed by her son, Alexander II., in 1233.

(*h*) Sir Ja. Dalrymple's Col., 352, who says he saw this charter in the hands of Thomas, Earl of Haddington. This grant of Earl Gilbert seems to have only comprehended Mid-Garmylton. During the reign of William the Lion, a great part of the lands of Garmylton was possessed by William Noble, and was succeeded by his son Ralph. Chart. Newbotle, 123-4-5. From this family, this division of the territory was long called Garmylton-*Noble*, while the smaller divisions of the same manor were

Lindsay, married in 1235 Margery, the sister of Alexander II.; and probably obtained with her the lands of Garmylton and Byres (*i*). That David Lindsay of Brennwell and David Lindsay of Crawford were the same, is probable, but not certain. They were contemporary and the lands of *Byres* were possessed by Lindsay of Crawford during the reign of David II. During this troublous period, Sir James Lindsay of Crawford resigned *the barony of Byres* to his younger brother, Alexander de Lindsay of Glenesk, who thereupon obtained a charter from David II. (*k*). Alexander de Lindsay had also acquired the lands of Ormiston in this constabulary, which had previously belonged, during the Scoto-Saxon period, to a family who had derived their name from the lands (*l*). Alexander de Lindsey, in 1366, had resigned to David II., in the parliament of Perth, the lands of *Byres*, to be regranted to his younger son, William de Lindsay, who thereupon immediately obtained a charter from the king (*m*). William de Lindsay, who thus obtained *Byres* from his father, was the real progenitor of the Lords Lindsay of Byres (*n*). He died under the regent Albany, in 1413 or 1414, after acquiring, amidst corrupt times, very considerable estates in West-Lothian, and in Fife. In 1371, William Lindsay of Byres acquired a large accession to his property, by marrying Christian, the heiress of Sir William More of Abercorn, and by her he is said to have had three sons, John, who, undoubtedly succeeded him as his heir; William, who is supposed mistakingly to have obtained from him the lands of Garmyl-

called during the 14th century, Garmylton-*Dunning*, and Garmylton-*Alexander* or *Mid*-Garmylton. They are known as Garmylton-*Easter* and Garmylton-*Wester*, the former of which comprehends both *East* and *Mid*-Garmylton.

(*i*) Earl Gilbert succeeded his brother Richard in 1234, married Margery in 1235, and died in 1241. Dug. Bar., i., 605-6; Chron. Melrose, 203.

(*k*) Roberts. Index, 62.

(*l*) Ormiston was given by Alexander Lindsay, in marriage with his daughter Jonetta, to John, the son of Alexander Cockburn; and they obtained from David II. in 1368, a grant of Ormiston, with the tenantries of the lands of Muirhouse, and the lands of Templehall and Paistoun in this constabulary to them, and the heirs of their bodies, whom failing, to William de Lindsay of *Byres*, and the heirs of his body. Ib., 84-5.

(*m*) Ib., 81.

(*n*) The peerage writer has committed an egregious mistake in making William Lindsay, *the son*, to be *the brother* of William de Lindsay, the grantee of Byres. Dougl. Peer., 156-160. He is also mistaken, when he says, p. 160, that William Lindsay, the grantee, was created Lord Lindsay of Byres, by Robert II. about 1376; for Robert III. granted to William Lindsay of the Byres, the offices of sheriff of Edinburgh and constable of Haddington for his life. Roberts. Index, 142.

ton as his appanage, and Alexander, who is unknown to the genealogists (*o*). John de Lindsay inherited from his father in 1413-14, not only the Byres, but *Drem*, in this constabulary, and other lands in several shires; and of all those possessions, he obtained from the regent Albany a charter of confirmation by the name of John de Lindsay, which shows that he was not yet Lord Lindsay of the Byres. He was created Lord Lindsay of the Byres in 1445 (*p*), and he is said by ill-informed genealogists to have died, 1479, when he had advanced to a great age, though it is much more probable that they must have confounded two persons of the same name; the one who must have died early in the reign of James II., and his son, John Lord Lindsay, who died in 1497, after acting a conspicuous part in the wretched scenes of his misgoverned country. The barony of Byres remained in possession of the Lindsays till the beginning of the 17th century, when it was sold to Sir Thomas Hamilton, the first Earl of Haddington (*q*). In the beginning of the 18th century, the barony of Byres was sold by the Earl of Haddington to Charles, the first Earl of Hopetoun, in whose family it still continues. In the meantime the family of Lindsay emigrated to *the Struthers* in Fife. John, Lord Lindsay, was created Earl of Lindsay in 1633, and he afterward succeeded to the estates and rank of Earl of Crawford (*r*).

(*o*) Such is the statement of the old genealogy of Lord Lindsay of Byres, in the MS. James V., A. 7, 12, in the Advocates' Library. It is untrue that the above William, the second son, had from his father, for his appanage, Garmylton; for it is certain that William de Lindsay, of *the Byres*, who died in 1413 or 1414, granted the lands of Garmylton-Alexander to *his bastard son*, Andrew, and his heirs-male; and under this entail, Garmylton-Alexander descended to William Lindsay, who must be deemed his heir of entail, as he enjoyed the lands entailed, after the decease of *the bastard*, Andrew. The grant to this Andrew by his father is No. 33 in the title-deeds of Garmylton-Alexander. From William, the son of Andrew, Garmylton-Alexander descended to David Lindsay, of the Mount, who obtained in 1478 a charter of confirmation from John, Lord Lindsay, of Byres; and from David, who died in 1507, Garmylton-Alexander descended to his son and heir, Sir David, of the Mount, *the poet*, the lyon-king, under James V. When I wrote the poet's *life*, I was deluded, I must confess, by the old genealogist above mentioned to conceive him to have been descended from the supposed William, the second son of William, who died in 1413-14, instead of William, the son of Andrew, the *bastard son* of William Lindsay, of the Byres, who died in 1413-14. The fact, then, as thus stated from charters, evinces that Sir David, the poet, had for his great-grandfather, *Andrew*, the *bastard son* of William Lindsay, who died in 1413-14. (*p*) Fordun, ii. 542.

(*q*) In 1615, £8 for a pair of *gilt spurs*, payable for the lands of Byres, was remitted to the Lord Binning, who was then Secretary of State. MS. Observ. on the Exchcq. Rental. That great lawyer was successively King's Advocate, President of the Session, Secretary of State, Lord Register, Lord Privy Seal, and Lord Binning, in 1613.

(*r*) Dougl. Peer. 161; Crawf. Peer. 85. Garmylton-Alexander passed from the Lindsays, of

Another scion of the Lindsays took root at *Thorston*, in the 13th century, by a grant from *the Stewart* of a part of his territory of Innerwick. Walter de Lindsay, who enjoyed the manor of Thorstoun at the epoch of the competition for the crown, had the honour to be appointed a nominee by Robert Bruce (*s*). In the subsequent year he had the mortification, perhaps, of having Edward I. for his guest at *Thorstoun* (*t*). On the 28th of August 1296, Sir Walter Lindsay of Edinburghshire swore fealty to Edward I. at Berwick (*u*). Thorston still remained in possession of the Lindsays at the end of the disastrous reign of David II. (*x*). At the accession of Robert II., John de Lindsay resigned to John Wallays the lands of *Thurston* in the barony of Innerwick (*y*).

The lands of *Dirlton* and *Gullane*, in this constabulary, were possessed as early as the middle of the 12th century by an English family of the name of Vaus. William de *Vaus* or *Vallibus*, enjoyed those manors with a part of Fenton under William the Lion (*z*). He also held the mill of Haddington, from which he granted half a mark of silver to the monks of Arbroath (*a*). He was succeeded in those estates by his son, John de Vallibus who flourished under Alexander II. (*b*). He had a brother, William, who was rector of the

the Mount, by legal adjudication, to John Tours, who conveyed it to George, Earl of Winton, who settled this property on his second son, whose descendant, Sir George Seton, transferred them in 1720 to Sir Francis Kinloch, from whom Garmilton [Garleton] passed into the family of the Earl of Wemyss. Title-Deeds of the Estate, which were obligingly communicated by the late Lord Wemyss.

(*s*) Rym., ii,. 555.

(*t*) On the 5th of July, 1292. William de Douglas swore fealty to Edward, at Thoreston, "in capella manerii domini Walteri de Lindsay, in quo tunc dictus dominus rex hospitabatur." Ib. 569. Rymer thus testifies the truth, and incidentally the falsehood of the historian of the Douglases, who repeatedly says that this William Douglas constantly refused to take an oath of fidelity to the crown of England. Godscroft, 18-19. During the years 1289 and 1290, William Douglas had been in the contempt of Edward I., by the ravishment of Alianor de Ferrers. In 1291, by paying a fine of £100, he was allowed the benefit of her marriage. Dug. Bar., i., 267, and on the 5th of July, 1292, as we have seen above. William Douglas came alone, as the record attests, to make his submission, and swear fealty to Edward I. at Thorston. After the same William Douglas had surrendered the castle of Berwick-upon-Tweed, in 1296, Edward retained him in his pay during the war, with the 200 men who were with him. W. Hemingford, i., 91.

(*u*) Prynne, iii., 662.

(*x*) David granted to John Lindsay, of Thorstoun, the office of *coroner* of Ayrshire. Roberts. Index. 46-97-8.

(*y*) Ib., 131.

(*z*) See the Chartularies of Coldingham, Dryburgh, and Newbotle.

(*a* Chart. Arbroath, 151.

(*b*) Id. In 1243 he granted to the church of Glasgow five marks yearly, from his manor of Gullane. Chart. Glasgow, 417.

parish church of Gullane (*c*). John de Vallibus was succeeded by his son Alexander, who enjoyed the manors of Dirlton and Gullane, with other lands in this constabulary, under Alexander III. (*d*). Before 1290 he was succeeded by his son John, who had to struggle through the succession war; and in February 1305-6, he confirmed his father and grandfather's grants to the church of Glasgow (*e*). He was succeeded by William de Vaus, whose daughter, during the reign of David II., married John Halyburton, the second son of Sir Adam Halyburton of Halyburton; and William, dying without issue male, his daughter carried his large estates in this constabulary into the family of Halyburton. In 1392, Sir William Halyburton, the grandson of that marriage, succeeded his father in the estate of Dirlton; and in the beginning of the following century, Sir Walter succeeded his cousin, Sir John Halyburton, in his estate of Halyburton, which was thus joined to Dirlton. Sir Walter, as an opulent and able baron, acted a conspicuous part in the embarrassed scenes of his country throughout the regency of Albany, whose daughter he married; and in 1440-41, he became a peer by the title of Lord Halyburton of Dirlton (*f*). Dying in 1447, he was succeeded by his son John, who partook of the infelicities of James III.'s reign; and after various transmissions, the estates and title came to Patrick, Lord Halyburton, who died in 1506, leaving three daughters, who carried his property, but not his peerage, to Lord Ruthven, Lord Home, and to Ker of Faudenside (*g*).

The manor of *Bolton* in this constabulary was early enjoyed by the St. Hilaries, who were succeeded by William de Veterponte, who married Emma de St. Hilary. The Veterpontes were involved in the terrible disasters of the succession war, as we know from Rymer and Prynne. Yet was Bolton, with lands in other districts, enjoyed by William de Veterponte under Robert I. and David II. (*h*). Bolton was at length acquired by Patrick Hepburn, Earl of Bothwell, after some struggle in Parliament (*i*). He gave this manor of Bolton to a cadet of his family who bore the same name, and in 1568, John Hepburn of Bolton was executed among other retainers of James, Earl Bothwell, for the murder of Darnley (*k*).

(*c*) Chart. Dryb., 18.

(*d*) Chart. Dryb. Alexander de Vallibus granted to the church of Glasgow five marks of silver yearly, from his mill in Haddington, in lieu of the five marks which had been granted by his father from the manor of Gullane. Chart. Glasg., 413.

(*e*) Ib., 417. (*f*) Dougl. Peer., 321. (*g*) Crawf. Peer., 183.

(*h*) Roberts. Index, 79. (*i*) Parl. Rec., 563, under the year 1494.

(*k*) Birrel's Diary, 14.

The manor of *Morham* was held during the 12th century by the family of Malherb, who chose the surname of Morham when local names were songht for (*l*). This manor came down to Sir Thomas de Morham who flourished under Robert Bruce, and who left a daughter, Euphemia, who carried Morham with other estates to Sir John Gifford of Yester (*m*).

The lands of *Ormiston* were early enjoyed by *Orme*, who communicated his name to his settlement. His descendants held Ormiston during the 12th and 13th centuries. It passed from them to the Lindsays, and in 1368, as we have seen, Sir Alexander de Lindsay gave Ormiston with other lands to his daughter Jonetta, on her marriage with John Cockburn (*n*). From this marriage arose the family of Cockburn of Ormiston, who possessed this estate till recent times.

The district of *Pencaithland* was enjoyed during the 12th and 13th centuries by a family who took their name from their lands (*o*). In 1276, John de Pencaithland resigned Wester-Pencaithland to Herbert de Maxwell (*p*). The other part of the lands of Pencaithland was forfeited by Thomas de Pencaithland during the succession war, and was thereupon granted by Robert Bruce to Robert de Lauder (*q*).

The lands of *Congalton* on Peffer-water have been held by a strange fortune from the 12th century to the present by the same family, who acquired their name from their property. By various transmissions from father to son, this estate was held in 1296 by Walter de Congalton, who swore fealty to Edward I. (*r*). In the reign of James I. the Congaltons held the lands of West-Fenton under the lairds of Dirlton (*s*). This family lost its ancient property by acting upon mistaken principles in 1715, and in 1745, but the forfeiture was repurchased by the heir of Robert Congalton who fled from the law in 1746 (*t*).

(*l*) Chart. Newbotle, throughout.

(*m*) Roberts. Index, 61-166.

(*n*) Roberts. Index, 84-5.

(*o*) Everard de Pencaithland, who held it during the reign of William the Lion, gave the advowson of the church of Pencaithland to the monks of Kelso. Chart. Kel., 367-87.

(*p*) Dalrymple's Col., 353. This part of Pencaithland was held by Sir John Maxwell, the grandson of Herbert, during the reign of David II. Roberts. Index, 38 : Dougl. Peer., 516. During the subsequent reign, West-Pencaithland was held by John Maitland of Thirlestane, under Sir Robert Maxwell, who granted the superiority to the monks of Drybnrgh. Ch. Dryb., Dougl. Peer., 517.

(*q*) Roberts. Index, 7.

(*r*) Prynne, iii., 657 ; Rymer, ii., 727 : Dougl. Bar., 521. who has, mistakingly cut out one link from the chain of succession.

(*s*) Dougl. Bar., 521.

(*t*) Ib., 524.

The manor of Elstaneford was enjoyed by the Countess Ada, from the decease of Earl Henry her husband in 1152, till her own death in 1178. It now became the estate of the Montforts (*u*). John de Montfort swore fealty to Edward I. in 1296 (*x*). He forfeited this estate during the succession war; and it was thereupon transferred by Robert Bruce to Richard Hereis (*y*).

The manor of North-Berwick and the town were possessed by the Earls of Fife during the 12th, the 13th, and a part of the 14th centuries. The last of this family who enjoyed this estate, was Isabel, the Countess of Fife, who lived during the revolutionary reign of David II. (*z*). At the accession of Robert II., William, Earl Douglas, acquired the barony of North-Berwick by some arrangement with Robert, Duke of Albany, which appears not on record (*a*). On this foundation was laid, at that epoch, the influence of the Douglasses in East-Lothian. Their influence was strengthened by the acquirements of the Douglases of Dalkeith (*b*).

East-Lothian seems to have been the original country of the Frasers. Simon Fraser held the manor of Keith at the middle of the 12th century (*c*), and from him this manor became known by the name of Keith-*Symon*. He left a daughter Eda, who married Hugh Lorens, who thus acquired his estate; and of this marriage was a daughter Eda, who, marrying Philip de Keith, the Mareschal, transferred to him her manor of Keith-*Symon*. In this manner then were the two manors of Keith united into one demesne, as the estate of one

(*u*) Chart. Newbotle, 216. (*x*) Prynne, iii., 662. (*y*) Roberts. Index, 2.

(*z*) The Countess Isabell, by marrying four husbands of various ages, endeavoured, without success, to leave issue to enjoy her ancient patrimony. She married, 1st. William de Ramsay, who died in 1358 or 1359; 2nd, she married Walter Stewart, the second son of Robert II., by Elizabeth More; 3rd, she married Sir Thomas Bisset in 1360, and 4th, she married John Dunbar, after the death of Bisset. Crawfurd's Hist. Stewart Family; Duncan Stewart's Hist. of the Stewart's; Douglas's Peer.; Robert's Index, 52. Yet the late Lord Hailes, in his Sutherland Case, asserts that Walter Stewart, who married the Countess Isabell, was *not* the son of Robert II., but the son of Robert, the third son of the same Robert II., relying on the copy of a copy of an indenture in Sir Robert Sibbald's Hist. of Fife. Now, Robert, the Duke of Albany, the third son of Robert II. died in 1419, aged 80; and consequently must have been born in 1339; and became 21 in 1360, when his elder brother Walter died, after marrying the Countess Isabell. The above Indenture is in the Harl. Lib., No. 4694, Brit. Mus., which proves Lord Hailes's error.

(*a*) Parl. Rec., 129.

(*b*) In 1372 James Douglas of Dalkeith, obtained from George, Earl of March, the lands of Whittingham, in marriage with Agnes, the Earl's sister. In 1561 James, Earl of Morton obtained from Queen Mary, a charter of confirmation of the barony of Whittingham, with his other lands, and this was ratified in parliament. Parl. Rec., 763.

(*c*) Chart. Kelso, 84-97; Chart. Soltre, 26.

family. Another branch of the Frasers took root in East-Lothian during the 12th century. While Malcolm IV. yet reigned, a considerable part of the territory of Hailes appears to have been held under the Earls of Dunbar, by a person who was named Kylverc, and who had several children that shared his estates: but the greatest part of his property was assigned to his eldest son, Oliver, who lived during the last division of the 12th century (*b*). Oliver dying without issue, was succeeded in his possessions by his nephew Adam, by Maria de Hailes, the daughter of Kylverc, and the sister of Oliver (*c*). Adam enjoyed those possessions under Alexander II. and was succeeded by his son, Laurence, who flourished under Alexander III. (*d*). Contemporary with Adam Fraser, the son of Udart, was Bernard Fraser, who held a part of the lands of North-Hailes and of Fortoun under the Earls of Dunbar (*e*). He flourished under Alexander II. (*f*), and after acting a distinguished part on the Scottish theatre in that age, he probably died soon after the accession of Alexander III. (*g*). During the 13th century the Frasers appear to have emigrated from East-Lothian to Tweeddale, where they greatly distinguished themselves.

In the district of *Hailes*, the Frasers seem to have been succeeded by the *Gourlays*, who came into Scotland with William the Lion. Hugh Gourlay possessed *Hailes*, under the Earls of Dunbar, at the end of the 13th century (*h*). Under David II., Hugh Gourlay forfeited *Hailes*, with other lands (*i*).

In this district of *Hailes*, within East-Lothian, the next possessors were the *Hepburns*. They originated from Hebborn or Hebburn, within Morpeth-ward,

(*b*) Some time before 1199, Oliver, the son of Kylverc, granted to the monks of Newbotle a carucate of arable land in the territory of Hailes, with common of pasture for 300 sheep. Chart. Newbot., 81.

(*c*) Adam, the son of Udart Fraser, confirmed his uncle Oliver's grant to the monks of Newbotle. Ib., 82. This confirmation vouches his right. He gave them in addition half a carucate of the land called Southrig, within South Hale, with common of pasture for 100 sheep. Ib., 84-5. Patrick, Earl of Dunbar, as superior, confirmed those grants. Ib., 83-7. Maria de Haile, during her widowhood, granted to the same monks her lands in the *Milnhalech* of North-Hailes. This was witnessed by her brother Adam, and confirmed by Patrick, the Earl of Dunbar. Ib., 99-100.

(*d*) He confirmed those grants of his father and of his grand-uncle Oliver. Ib., 86. This confirmation evinces his descent and title.

(*e*) Chart. Newbotle, 82; Ib., 101; Ib., 102; Ib., 114-16-21. (*f*) Ib., 117; Ib., 101.

(*g*) He was alive in 1247. Roberts. Index, 76. Bernard Fraser seems to have disappeared soon after that date.

(*h*) He confirmed the charters of his predecessors, the Frasers, to the monks of Newbotle. Chart. Newbot., 104. Four several Gourlays of the sheriffdom of Edinburgh, which then comprehended East-Lothian, swore fealty to Edward I. in 1296. Prynne, 655-6-7-62.

(*i*) Roberts, Index, 42.

in Northumberland. The first of this family who rose to much notice in Scotland was Adam de Hepburn, who distinguished himself during the eventful reigns of Robert I. and David II. Adam de Hepburn appears to have been a dependant on the Earl of Dunbar, whose confidence he gained, and from Earl Patrick, he acquired the lands of South and North-Hailes, which became known by the name of Hailes, lying on the Tyne in East-Lothian, and Trepren, that is now called Traprain, adjoining to Hailes, with Rollandstown in the parish of Greenlaw, and Mersingtown in Eccles, and some lands in Cockburnspath within Berwickshire; the whole being within the earldom of March and held of the earl (*k*). Adam, the first of the Scottish Hepburns, died during the reign of David II., leaving many lands to his eldest son, Patrick; and John Hepburn, who seems to have been educated in the family of Earl Patrick (*l*). Patrick Hepburn of Hailes was an eminent baron who flourished during the reigns of David II., Robert II., and Robert III. He went on the fashionable pilgrimage to Canterbury in May 1363 (*m*). On the 26th of March 1371, he acted conspicuously at the coronation of Robert II. and at the recognition of John, Earl of Carrick, as the king's son and heir (*n*). He seems to have associated much with Patrick, Earl of Dunbar, his chief (*o*), and Sir Patrick Hepburn of Hailes, with his son Patrick, followed the Earl of March in 1388 into the renowned battle of Otterburn, where they displayed their valour in saving the pennon of Douglas from the indelible disgrace of falling into hostile hands (*p*). But the father was too old and too prudent to follow his expatriated chief when he fled to Henry IV. in July 1400. His want of attachment on

(*k*) The grants of Earl Patrick to Adam Hepburn were confirmed by the charters of David II. early in his reign. Roberts. Index., 41-2. It should seem that Adam de Hepburn enjoyed, under some grant of the same Earl, Mordington, as in 1320 Adam granted to John Renton, burgess of Berwick, some land, "in villa de Mordington;" and his charter was witnessed by Sir Alexander Scton, "Custos villæ Berwicæ." Nisbet's Heraldry, i. 237.

(*l*) John de Hepburn, who was called *alumnus* of Earl Patrick, received from him the lands of Over and Nether Merkhill, in East-Lothian, and to his heirs-male; whom failing, the same lands were limited over to his brother Patrick and his heirs-male. This grant of Earl Patrick was confirmed in 1363 by David II. Roberts. Index. 74; Dougl. Peer., 83, who mistakes the obvious meaning of *alumnus*. John de Hepburn was the progenitor of the Hepburns of Waughton, from whom sprung the Hepburns of Smeaton, of Bearford, of Beinstoun, Humbie, etc. Contemporary with Patrick and John de Hepburn was Robert de Hepburn, of Peebleshire. Ib. 44.

(*m*) Rym., vi., 408. In 1365 and 1367 he witnessed charters with Patrick, Earl of Dunbar. Rob. Index, 79-82.

(*n*) Hay's Vindication of Elizabeth More, App., 121.

(*o*) Roberts. Index, 136.

(*p*) Pink. Hist., i., 39, from Froissart.

this occasion the Earl of Dunbar did not easily forgive. In February 1401, when the Earl, with Henry Percy, penetrated through the Merse into East-Lothian, they ravaged the lands and assaulted the castle of Hailes. But the aged knight, with his son, who had fought by his side in the gallant conflict of Otterburn, repulsed two of the best generals in Britain; the one remarkable for his skill, the other for his heroism. The assailants, after encamping at Linton, on the northern side of the Tyne, were obliged to make a speedy retreat to Berwick (*q*). Patrick Hepburn, the son, in the subsequent year led an inroad into England, where he remained long enough to enable the Earl of March to pursue him so closely as to encounter him on Nisbet-moor, in the Merse. A very desperate conflict ensued, which was so valourously fought as to remain long doubtful. At length young Hepburn with the youth of Lothian were slain, while several gentlemen of the same vicinage were led into captivity (*r*). The aged Sir Patrick had now to lament at the age of 80 the fate of his valiant son. This afflictive event the venerable warrior did not long survive. The younger Patrick, as he had fought by his father at Otterburn in 1388, must have been well advanced in life when he nobly fell on Nisbet-moor in 1402; and as he had married one of the co-heiresses of Vaus of Dirlton, he left by her two sons, Adam, who succeeded his grandfather, and Archibald Hepburn, who obtained the lands of Flemington in Berwickshire.

In addition to the large estates of his grandfather, who died not long before the demise of Robert III., Adam enjoyed his mother's portion of the Vaus's estates in East-Lothian, which lay in the vicinity of Hailes on the north. He does not appear conspicuous in the national annals during the odious administration of the regent Albany. He seems to have concurred zealously in the restoration of his captive sovereign James I. (*s*). When the king caused the Earl of March to be arrested in 1434, he sent Angus, Crichton, and Adam Hepburn of Hailes, to take possession of the castle of Dunbar, which was not defended, and which was immediately committed to Adam de Hepburn (*t*).

(*q*) Bower, l. xv., c. 10.

(*r*) Ib., l. xv., c. 13.

(*s*) In December 1423, he repaired with others, under a safe conduct, to Durham, to meet the king at Durham. Rym., x., 309. In July 1425, Adam de Hepburn was one of the hostages who were then given, in exchange for other pledges, on account of the king's ransom. Ib., 348. There was a safe conduct, in February 1426, for Patrick de Hepburn, William de Hepburn, who were probably the sons of Adam and John Halyburton, the servants of the Laird of Hailes, to go to their master in England. Ib., 351, and, on the 9th of November 1427, Adam de Hepburn, Miles, was released, in exchange for William Douglas, of Drumlanrig. Ib. 381.

(*t*) Bower, l. xvi., c. 24.

When the parliament, on such pretences as power will always find, forfeited the earl of March, who had so many vassals, the Hepburns became *tenants in chief* of the crown, who had before owed their services to the Earls of March. In September 1435, the Earl of Angus, Adam Hepburn of Hailes, and Ramsay of Dalhousie, defeated the Northumberland yeomen under their earl, below the Cheviot range at Pepperden (*u*). On the 31st of March 1438, Adam Hepburn of Hailes was appointed one of the conservators of the truce which gave quiet to the conterminous borders (*x*); but during the turbulent scenes of James II.'s minority, we see no more of Adam de Hepburn (*y*), and he certainly died, before the year 1446, leaving four sons and two daughters (*z*).

During the perturbations of the year 1446, Sir Patrick Hepburn of Hailes surprised the castle of Dunbar, and Archibald Dunbar, in his turn, took the castle of Hailes; but he was soon dislodged, by the Earl of Douglas (*a*). After domestic quiet had been somewhat restored, Sir Patrick Hepburn was employed as one of the negotiators of the frequent truces with England (*b*). Sir Patrick seems to have first appeared in parliament on the 19th of October 1456, when he was chosen one of the barons for the administration of justice (*c*), and he was soon after raised to the yet higher honour of a lord of parliament (*d*). Patrick, Lord Hailes, sat in parliament on the 6th of March 1457-8, when he was appointed one of the members who were appointed to distribute justice at Edinburgh (*e*). Amidst the turbulence which succeeded, in May

(*u*) Bower, l. xvi., c. 25.

(*x*) Rym., x., 695.

(*y*) The dowager queen retired to the castle of Dunbar, while it was kept by Hepburn, of Hailes. She died the 15th of July, 1445. Abercromby, ii., 337.

(*z*) Patrick, his eldest and his heir: William Hepburn; George Hepburn, of Whitsome; John Hepburn, who was bishop of Dunkeld, one of the lords of the council and session, 1467, and died in 1486; Elizabeth married Andrew, the heir of Montgomery, and Janet married Lord Somerville.

(*a*) Abercromby, ii., 366. In the Chartulary of Coldingham there is an instrument, "super tribus literis Jacobi regis de rebellione Patricii Hebburn, militis, occupantis castrum de Dunbar, A° 1446." Pitscottie, 41-2.

(*b*) He was thus employed on the 15th of November, 1449 (Rym., xi., 253), on the 14th August 1451 (Ib., 300), on the 23rd of May 1456 (Ib., 334). In 1449 he was appointed, as we have already seen, Sheriff of Berwickshire.

(*c*) Parl. Rec., 39.

(*d*) He was created a lord of Parliament sometime between the 19th October 1456 and the 11th of June 1457, and not *before* 1456, as Douglas asserts, Peer., 85. As Patrick, *Lord* Hailes, he was again appointed one of the conservators of the truce which was made at Coventry on the 11th June 1457. Rym., xi., 397.

(*e*) Parl. Rec., 40. He was again appointed one of the conservators of the truce which was made at Newcastle the 12th September 1459. Rym., xi., 434

1466, the death of Bishop Kennedy, the able minister of James III., Lord Boyd, Adam Hepburn, *the heir* of Hailes, John, Lord Somerville, and others, engaged in a design to seize the king's person (*f*). But he was present in the parliament which assembled on the 14th of October 1467, when he was chosen one of the committee of justice (*g*). He was again present in the parliament which assembled on the 6th of May 1471, and was once more appointed one of the auditors of causes on petitions for justice (*h*). This is the last time that Patrick, Lord Hailes, appears to have sat in parliament (*i*). Early in 1479 he lost his eldest son, Adam, who then deceased; leaving Helen, his widow, and many children (*k*). In April 1481, Helen, who had meantime married Alexander Erskine, summoned Patrick, Lord Hailes, before the parliament to answer for the profits of the lands of Monynetts, in the parish of Oldhamstocks (*l*). In March 1482, the lords auditors directed an inquest to ascertain whether Monynetts were a part of Oldhamstocks (*m*), and on the 6th of December 1482, it was finally decided in parliament, on the finding of the inquest, that Monynetts was a pertinent of Oldhamstocks, in which Helen, the complainant, had a conjunct infeftment (*n*). In the meantime, Lord Hailes acted faithfully as the governor of Berwick-castle, a trust of great consequence; and when Albany conducted Gloucester, with the English army, to the Tweed, in July 1482, Lord Hailes defended the fortress with a skill and resolution equal to

(*f*) Abercromby, ii.. 394. For this act of treason they were all pardoned on the 5th of October 1466. Scotstarvit's Calendar, in Pink. Hist., i., 255. This was done a few days before the meeting of Parliament, on the 9th of October. Parl. Rec., 141-7. Patrick, Lord Hailes, seems not to have attended that Parliament, owing probably to his son's misconduct.

(*g*) Ib., 149-50. On the 12th of January 1467-8, Lord Hailes, though he was not present, was one of those members to whom was delegated the power of the Estates during the recess. Ib.. 150. He did not attend the Parliament which met on the 20th November 1469. Ib., 153.

(*h*) Ib., 159. (*i*) Ib., 168, 198, 217-18, 251.

(*k*) Adam Hepburn, who was old enough, as we have seen, to engage in 1466, with others, in an attempt on the king's person, married Helen Home, a daughter of Sir Alexander Home of Home, who brought him five sons and four daughters. His eldest was Patrick, who succeeded his grandfather, as Lord Hailes; his second son was Adam, who married Elizabeth, the co-heiress of Ogston, who brought him three daughters, who shared her estates; his third son was George, who rose in the church to be abbot of Arbroath and bishop of the Isles, and who died on Floddonfield; the fourth son of Adam was John, who rose in the church to be prior of St. Andrews, and died in 1522; and his fifth son was James Hepburn, who became bishop of Moray in 1516, and died in 1524; and his four daughters married the heirs of four peers.

(*l*) Parl. Rec.. 269. (*m*) Ib., 277. (*n*) Ib., 284.

the treachery and force wherewith it was assailed (*o*). As early as the parliament of March 1478-9, Patrick, the son of Adam, sat among the Estates as *the heir* of Lord Hailes (*p*). His grandson now sat in the several parliaments till the decease of the aged Patrick, Lord Hailes, who died early in the treasonous year 1483, while Albany and Angus were plotting the overthrow of the state (*q*).

Patrick, the second Lord Hailes, now succeeded his grandfather in his title and estates (*r*). During the turbulence of that period, Patrick, the second Lord Hailes, entered forwardly into all the guilty scenes which terminated in the assassination of James III. on Stirling-field (*s*). He was very amply rewarded on the accession of James IV. for his forwardness and his crimes against the king's father. He became one of the principal ministers of the infant king (*t*). He was one of the commissioners who opened the first parliament of James IV. on the 6th of October 1488 (*u*). He was immediately chosen one of the committee of articles, to propose measures for the adoption

(*o*) Abercromby, ii., 452 ; Bord. Hist., 444. On the 24th August 1482, Lord Hailes surrendered Berwick castle to the English general, in pursuance of a treaty and subsequent orders of the Scottish government. The faithful execution of the office of governor of Berwick castle precluded Patrick, Lord Hailes, from a frequent attendance in parliament.

(*p*) Parl. Rec., 232. He is called in the Record *the master of Hailes.*

(*q*) Ib., 269. On the 27th of June 1483, Patrick, the grandson, sat in parliament as Lord Hailes. Ib., 295. Patrick, the first Lord Hailes, had two sons, Adam, who died before him, as we have seen, and George, who was dean of Dunkeld, and treasurer of Moray, and two daughters, Margaret, who married Patrick, the heir of Lord Halyburton, and Eupheme, who married Andrew Macdougal of Makerstoun.

(*r*) Dougl. Peer., 84, is so idle as to place Adam, the son, who died, as we have seen, in 1479, in the succession to his father, Lord Hailes, who died early in 1483. On the 23rd of December 1483, we may see Patrick, the second Lord Hailes, acting as sheriff of Berwickshire with Oliver Lauder for his deputy. Parl. Rec., 310. In September 1484, Lord Hailes was appointed one of the conservators of the peace. Rym., xii., 241.

(*s*) In 1485 Lord Hailes confederated with Angus, Gray, Home, and others, to imprison the king and to appoint his son regent, but they were then disappointed. Ferrerius ; Lesley, 327 ; Pink. Hist., i., 323. In March 1488, Lord Hailes took the field with other rebel lords against the king, and he was at the head of those insurgents who made the articles of Blackness. Parl. Rec., 339. In May 1488, Lord Hailes was one of the rebel envoys to London. Rym., xii., 340, and on the 11th June 1488, he carried his followers into Stirling-field, where the king fell before their treasonous spears. In 1488 James III. was slain at Bannockburn [Stirling-field], by Home and *Hepburn*, saith honest Birrel. Diary, 3.

(*t*) In July 1488, Patrick, Lord Hailes, was made "great admiral of Scotland for life." Scotstarvit's Calendar in Pink., ii., 5. He was appointed master of the household. Parl. Rec., 329.

(*u*) Parl. Rec., 329.

of the Estates (*x*). The shires of Edinburgh, Linlithgow, Haddington, and Berwick, were assigned to the keeping of Lord Hailes jointly with Sir Alexander Home; and Wigtonshire and Kirkcudbright were delivered to his lordship's single domination (*y*). James, Duke of Ross, the king's brother, was committed to the governance of Lord Hailes, who had the keeping of Edinburgh castle (*z*), and the lands and lordships of Bothwell and of Crichton were granted to him on the 14th of October 1488; and three days afterward those estates were erected into an earldom, which was granted to Lord Hailes, who incidentally became Earl of Bothwell (*a*). The new earl had earned other trusts and favours. He was made warden of the west and middle marches on the 4th of July 1489, and he had already been nominated sheriff of Edinburghshire (*b*). On the 15th of February 1489-90, he was appointed collector of the king's rents and casualties within the shires of Edinburgh and Haddington, in Kirkcudbright and Wigton (*c*). In 1491 he appears to have gone with other envoys into France and Spain (*d*). In 1492 he negotiated with the Earl of Angus, his great coadjutor in the insurrection which ended in the sad demise of James III., an exchange of the lordship of Bothwell in Clydesdale, for the country of Liddesdale on the south-western border (*e*). During the ten years which ensued he obtained royal grants of many lands (*f*). In December 1494, Earl Patrick, and his brother Adam, had a suit in parliament with Marion of Bolton, and George Home, her husband, about the barony of Bolton in East-Lothian (*g*). In October 1495, the earl was appointed by the king one of the Lords of the Session for distributing justice (*h*). In 1499, the Earl of Bothwell was usefully employed as a negotiator in England (*i*). He negotiated with the aid of other able men the marriage of the

(*x*) Parl. Rec., 330. (*y*) Ib., 337. (*z*) Ib.. 339.

(*a*) Ib., 335-6. The barony of Bothwell had been forfeited by the Douglasses in 1455, was conferred by James III. on Sir John Ramsay. with the title of Lord Bothwell, who was now forfeited for adhering to his master in England as his ambassador, and after his decease retained the title of Lord Bothwell, and acted as a spy of Henry VII. Ayloffe's Calendar, 313; Rym., xii., 440; Pink. Hist., ii., 438-42.

(*b*) Parl. Rec., 359-97. (*c*) Ib., 364.

(*d*) There was granted a safe conduct on the 14th of June 1491, for Patrick, Earl of Bothwell, and other ambassadors, to go through England with 100 attendants to France and Spain. Rym., xii., 446.

(*e*) Godscroft, 236-7.

(*f*) Dougl. Peer., 85, who quotes the charters in the Public Archives.

(*g*) Parl. Rec., 446. (*h*) Ib., 456.

(*i*) Rym., xii., 721, records a safe conduct for Patrick, Earl Bothwell, and three other ambassadors, with 100 attendants for six months.

Lady Margaret with James IV., and a lasting peace with the contiguous kingdom (*k*). Patrick, Earl of Bothwell, was a leading character in parliament; as we might indeed easily suppose, from the favour that he enjoyed and the offices which he held (*l*). Patrick, the *first Earl* of Bothwell, ended his various life on the 17th of October 1508 (*m*), leaving by Janet, the daughter of the Earl of Morton, three sons and three daughters (*n*).

Adam, the *second Earl*, succeeded his father in his titles, in some of his offices, and in his vast estates within the shires of Edinburgh, Haddington, Berwick, Roxburgh, Dumfries, Kirkcudbright, and Lanark, and they were soon after confirmed to him and his heirs by James IV.'s charter (*o*). He did not, however, long enjoy what an indulgent sovereign had lavishly bestowed upon him. He was soon summoned into the field by James IV., who had resolved to show his chivalry as well as his generalship. Adam, the second Earl of Bothwell of this name, commanding the reserve of the Scottish army on Floddon-field, died on the disastrous 13th of September 1513 (*p*).

Patrick, the *third Earl* of Bothwell, now succeeded his father while he was yet an infant. He was still under age on the 26th of February 1525-6, when his uncle, the prior of St. Andrews, was his guardian (*q*). The prior, on behalf of his ward, again pledged himself in parliament for the good rule of

(*k*) Rym., xii., 772-4. The 24th of January 1501-2 is the date of the treaty of marriage, and of peace, at Richmond. Ib., 787-800. On the 23rd of May 1503, Patrick, Earl of Bothwell, Lord Hailes, and *great admiral* of Scotland, had the honour of witnessing the endowment of the Lady Margaret by James IV. Rym., xiii., 64.

(*l*) Parl. Rec., 489-522.

(*m*) Lesley, 350, gives the date, but substitutes the name of Adam, for Patrick.

(*n*) Dougl. Peer., 85. Of Earl Patrick, the eldest son was Adam; the second son was John Hepburn, who was made bishop of Brechin in 1517, and died in 1558; the third son was Patrick Hepburn, who succeeded to the Priory of St. Andrew in 1527, to the bishopric of Moray in 1535, and died in 1573.

(*o*) On the 27th of August 1511, the king, by a new charter, erected all those estates into an earldom, with the castle of Hailes, for the principal messuage; and to Earl Adam, and his heirs, was confirmed the offices of Sheriff of Edinburgh and Berwick, Constable of Haddington, Baillie of Lauderdale, and, moreover, the office of Great Admiral of Scotland, in fee. Privy Seal Record Gen. Reg. House, Lib. 4, fol. 151.

(*p*) Dougl. Peer., 85. By Agnes, the daughter of James, Earl of Buchan, Adam, Earl of Bothwell, left two sons and two daughters. His eldest son was Patrick, and his second was William Hepburn, of Rollandstoun, in Berwickshire. Id.

(*q*) The answer of the Privy Council of Scotland to the complaint of disorders on the Marches evinces those facts. The bad state of Liddesdale was then imputed to his minority. Calig., vii., 30. The Earl of Bothwell first appeared in Parliament on the 15th of November 1526. Parl. Rec., 564.

Liddesdale, and the quiet of the adjacent countries (*r*). After the infant king had freed himself, by his own efforts, from the domination of the Douglasses in 1528, the Earl of Bothwell joined him at Stirling, and accompanied his array to Edinburgh (*s*). He attended the parliament of September 1528 (*t*). As Bothwell was either unwilling or unable to preserve the quiet of Liddesdale, he was, during July 1529, imprisoned in Edinburgh castle, wherein he lay till the end of the year (*u*). He was, however, present in the parliament which assembled on the 26th April 1531, when he was appointed one of the lords who were to draw up the usual articles (*x*). But he was a person, unprincipled and unsteady, and in December 1531, he secretly passed into the north of England, where he held the most traitorous communications with the Earl of Northumberland (*y*). James V. having discovered those dangerous intrigues, ordered Bothwell on his return to be confined in Edinburgh castle, wherein he long continued (*z*). Bothwell is supposed by some to have died in 1534. But as he came of age in 1526, he must have been born in 1505, and of consequence could have been scarcely twenty-nine in 1534 (*a*). There

(*r*) Ib., 569. Orig. Letter, 18th July. Calig., b. i., 17.

(*t*) Parl. Rec., 577. He is said, however, to have refused the command of the forces which were raised against the Douglases; but the observation of Godscroft, 260, like many other of his positions, is improbable, for the Earl of Bothwell could not have been then three and twenty. Bothwell was, undoubtedly, Sheriff of the southern shires, and might have been ordered to raise forces against the rebels. In January 1528-9, Bothwell obtained a grant of the lands and castle of Tantallon, which had been forfeited by the Earl of Angus. Scotstarvit's Calendar; Douglas Peer., 85, who quotes the king's charter in the Public Archives. Bothwell afterward lost the benefit of this grant by his misconduct.

(*u*) Lesley, 430. But he was not banished to Venice, as this historian intimates. Orig. Communications. Calig., b. v., 216.

(*x*) Parl. Rec., 587.

(*y*) Those Original Communications, dated the 21st of December 1531, are preserved in Calig., b. v., 216. Bothwell complained to Northumberland that the Scottish king, forgetting the services of his father and grandfather, *had held him long in non-age*, and had given some of his lands to the Kers of Teviotdale on pretence of misrule. He said that he had been *imprisoned half a year*, and would have suffered death if his friends had not entered into a recognisance of £20,000. He expressed his hopes that *Henry VIII. would assist the Scottish peers against their king*: and he *offered his allegiance* and *services*, with a thousand gentlemen and a thousand commons. Id.

(*z*) He was not present in the Parliament of the 17th of May 1532. Parl. Rec., 589. The English commissioners at Newcastle wrote to Henry VIII. on the 26th of July 1533, "that the king of Scots is at this present time at Edinburgh, and hath caused the Archbishop of St. Andrews and the Earl of Bothwell to be shut up in the castle of Edinburgh." Calig., b. vii., 176.

(*a*) Dougl. Peer., 85; Pink. Hist., i., 322; but Crawfurd's Peer., 44, says that the present Earl Patrick was the father of the unhappy James, Earl of Bothwell; and the context shows that Crawfurd was right.

was not any Earl of Bothwell in the parliament which met on the 10th of June 1535 (*b*). In February 1535-6, a suit was begun for adjudging Patrick, Earl of Bothwell's estate, for debt (*c*). In July 1538, Bothwell resigned the lordship of Liddesdale, with the castle of Hermitage, the country being a haunt of free-booters and the earl being of doubtful attachment (*d*). About the same time, Patrick Earl of Bothwell obtained a grant of lands on the resignation of Lord Maxwell (*e*). This grant may have possibly been made in compensation for the Earl's resignation of Liddesdale (*f*). He appears not to have attended either the parliament of December 1540, or the parliament of March 1540-1 (*g*). When the war with England had begun, Patrick, Earl of Bothwell, acted with his accustomed treachery (*h*). Bothwell did not attend his duty at the opening of the parliament on the 13th of March 1542-3; but he was present two days afterward, when he was chosen one of the governor's council (*i*). He now made an attempt, in parliament, to regain his old country of Liddesdale, and his castle of Hermitage, which had been annexed to the royal demesne (*k*). Bothwell, Huntly, and Murray influenced the governor to liberate *the cardinal;* being

(*b*) Parl. Rec., 594.

(*c*) Scotstarvit's Calendar. Such a process was not likely to have been commenced against an infant heir. In 1537, Patrick, Earl of Bothwell, obtained a charter for the lands of Lochwbarret, Park, Hackra, &c. Dougl. Peer., 85, who quotes the Public Archives for the fact. Such a grant would not probably have been made to an infant heir.

(*d*) Orig. Letter of the 5th of September 1538, in Calig., b. vii., 232. On the 10th of December 1540, Liddesdale and Hermitage castle were annexed to the crown by Act of Parliament. Parl. Rec., 624.

(*e*) Scotstarvit's Calendar.

(*f*) Patrick, Earl of Bothwell. made some grants at Aberdeen, at the end of the year 1539. Ib., Pink. Hist., ii., 322.

(*g*) Parl. Rec., 619-29.

(*h*) On the 24th of August 1542, "wes foughten the field of Solew-moss," saith the artless Birrel, Diary, 3. It was this disaster which wounded the heart of James V., who died on the 14th of December 1542. Amidst those scenes of sadness, Bothwell, in consideration of a large sum of money, engaged to serve Henry VIII. against his own king and country; and in pursuance of that odious engagement he began to communicate intelligence and counsel to the enemy. This unknown fact is stated in the Parl. Rec., 681.

(*i*) Ib., 646-49. On the 15th of March 1542-3, Patrick, Earl of Bothwell, with other nobles, recognised James, Earl of Arran, to be the second person of the realm, and nearest in the succession to the crown, and governor of the kingdom, to whom they severally promised their obedience and support. Epistolæ Reg. Scotorum, ii., App., 310. On the 8th of June 1543, Bothwell was not present when the governor's council answered Henry VIII.'s proposals. Parl. Rec., 659.

(*k*) Ib., 658. The result does not appear in the dilapidated record, but he probably regained those great objects, as Liddesdale and Hermitage descended to his heir, Earl James.

all, as it was said, averse from matching the infant queen with the son of Henry VIII. (*l*). At that epoch of intrigue and baseness, Earl Bothwell was not of the English faction, but supported Arran, the governor, and the queen dowager (*m*). It is not easy to trace the motives of such a profligate as Patrick, Earl Bothwell; but it is more than probable that Earl *Patrick* about that time paid his addresses to the dowager queen, Mary of Guise (*n*). When the parliament assembled on the 3rd of December 1543, Patrick, Earl of Bothwell, was one of the queen's commissioners who met *the Estates* (*o*). On the subsequent day he was chosen one of the lords of the articles (*p*). Yet, though he had advised the breaking of the treaty with Henry VIII. in the foregoing year, Bothwell gave counsel and aid to the English army under the Earl of Hertford, when they ravaged Scotland in May 1544 (*q*). It is again impossible to penetrate Bothwell's motives for his sudden change of party and of principle, unless we suppose that he had been disappointed in his hopes by the dowager queen. For all those treasons, Patrick, Earl of Bothwell, was accused in

(*l*) Keith. 39. In August 1543, Bothwell, Huntly, and Murray collected their followers and assisted the cardinal in carrying the two queens from Linlithgow palace to Stirling castle. Ib., 30. On Sunday the 9th of September following, they were all present at the coronation of Mary Stewart, within the chapel of Stirling castle. Ib., 32; Sadler's Letters, 365.

(*m*) Ib., 367-80. The chief of the English faction at that epoch was the Earl of Angus.

(*n*) See Lord Elibank's Letter to Lord Hailes, ch. x. His lordship quotes Buchanan for saying "that *James*, Earl Bothwell, in 1544, was professed rival to the Earl of Lennox, then a youth, in their addresses to *Mary of Guise*." Buchanan, like other men who write from memory, mistook both the name of *James* for Patrick, and the year 1544 for 1543. In October 1543, Lennox had so set his mind on the *marriage* of the *Lady Mary Douglas*, that he will not now slip from the party of the king [Henry VIII.]. Sadler's Letters, 399. Lennox went to England in May 1544. Keith, 35. On the 26th of June following, he entered into a treaty with Henry VIII., for the marriage of the Lady Mary Douglas. Id. He married her in July 1544. Ib., 36. On the other hand, *Patrick*, Earl Bothwell, went with *the dowager* and the Cardinal to St. Andrews, in the last week of September 1543. The Dowager, the Cardinal, and Bothwell, remained there on the 30th of the same September. Sadler's Letters, 393. On the 5th of October following, "the old Queen, the Cardinal, and Earl Bothwell, still remained in the castle of St. Andrews." Ib., 398. On the 5th of the subsequent November, the Cardinal and Earl Bothwell came to Edinburgh, the *old Queen* remaining at Stirling. Bothwell, as he was born in 1505, was *thirty-eight* in 1543. The *old Queen*, whose ambition now predominated over her love, probably encouraged the hopes both of Lennox and of Patrick, Earl Bothwell, in order to attach them to the French party, to herself, and to the Cardinal.

(*o*) Parl. Rec., 660. (*p*) Id.

(*q*) Ib., 681. On the 22nd of July 1544, Bute-Pursuivant, after executing the queen's letters at the market cross of Edinburgh, was seized by the Earl of Bothwell, who took from the pursuivant the Queen's letters, and imprisoned the officer eleven days. Id.

parliament, during November 1544 (*r*); yet was the prosecution of the Earl's crimes soon after remitted by the governor's weakness (*s*).

The Earl of Bothwell was by those means placed in a situation to claim the protection of parliament. As *admiral* of Scotland, Earl Patrick complained in parliament, on the 12th of December 1544, that the Lords of Council and Session daily took under their consideration, *during his absence*, divers matters which principally concerned his office of admiral, that pertained to him in *heritage*. The queen's advocate defended the conduct of the College of Justice, as supreme judges for the administration of right as well to *strangers* as to *subjects*. On the morrow, the parliament examined the privileges of both parties, and sustained the claim of Bothwell; and the Estates, with his own consent, assigned him the 17th December 1544, to hear the complaint of some inhabitants in Spruce Island against certain persons, "for *the spoliation* of their *ship* and *goods*" (*t*). Justice was probably done, with the help of those assessors, to the shipwrecked shipmen of Spruce Island, as no ulterior proceedings appear. Bothwell was present in council at St. Andrews, on the 25th of June 1545 (*u*). He attended his duty in the parliament of October 1545 (*x*); and during that session, the king's officers were directed to assist Patrick, Earl of Bothwell, the sheriff of Edinburgh and of Haddington, to levy distresses on all those who had not paid their taxes (*y*). His duty as sheriff required him in January 1545-6, to perform even a harsher service. He was directed to arrest Wishart, the reformer, in order that the law of the

(*r*) Parl. Rec., 677-9.

(*s*) Ib., 680; Epist. Reg. Scot., ii., App., 321-26-7. As this *remission* was assented to by *the Estates*, on the 12th of December 1544, it operated as a parliamentary pardon for all treasons and other crimes before that time by him committed.

(*t*) Parl. Rec., 680. At the desire of Bothwell, the admiral, with the consent of the parties, the governor, and lords of parliament, named several eminent men and lawyers as assessors to the admiral, for the administration of justice in the said complaint; and if the admiral should fail herein, he was content that the cause should be advocated to the college of justice, "conform to the acts formerly made thereupon." Id. The above is a very curious proceeding, because we see in it the dawn of a court of admiralty. It is vain for Erskine to intimate in his Institutes that an admiralty court existed *of old* in Scotland. Nisbet says the charter to Earl Adam in 1511 was the oldest record on this head that he had seen; Doubts, 228; and Stuart's Answer, 239. It is apparent from those proceedings in parliament during December 1544, that there was then no regular court of admiralty in Scotland.

(*u*) Keith's App., 50.

(*x*) Parl. Rec., 683-6-8.

(*y*) Parl. Rec., 689; Keith's App., 66.

land might be executed upon him (*z*). Bothwell was present in the parliament of July and August 1546 (*a*). When the English fleet was expected in the Forth during May 1547, Patrick, Earl Bothwell, was appointed to have the care of the *bail* or beacon on Dunprender-law (*b*). On that emergency, he probably acted treacherously, as he was soon after imprisoned in the castle of Edinburgh. Herein he remained till the battle of Pinkie, on the 10th of September, had almost decided the fate of Scotland. On the subsequent day he was by the regent set at liberty (*c*). Throughout that wasteful war, Patrick, Earl of Bothwell, continued to act treasonously, in favour of Edward VI. against his infant queen (*d*). In September 1549, he renounced his allegiance to his sovereign, swore fealty to Edward, accepted a yearly pension of three thousand crowns, and was allowed a guard of a hundred horsemen (*e*). His treasons were no doubt discovered (*f*), and he was obliged to flee from his offended country, to which he probably never returned. After a devious life of tergiversations and of crimes, he died during September 1556, aged fifty-one (*g*). He married Agnes, the daughter of

(*z*) Keith, 41. In the Epist. Reg. Scot., ii., App., 342, there is the "act obliging Patrick, Earl Bothwell, to deliver up to my Lord Governor the person of Mr. George Wishart, who afterward suffered martyrdom." Reg. Privy Council, fol. 25. On the 10th of June 1546, Patrick, Earl Bothwell, was one of the four lords who were appointed to attend the Governor as Counsellors till the 10th of October. Keith's App., 52.

(*a*) Parl. Rec., 691-5-726 ; Keith's App., 53 ; and on the 10th of October 1546, Bothwell was present in council at St. Andrews. Keith's App., 54.

(*b*) Epist. Reg. Scot., App., 383, contains the act "for making great fires in several places to give warning of the approach of the English fleet," the 25th May 1547.

(*c*) Lesley, 488. In the meantime his castle of Hailes was taken by the invading foe. On the 17th of September 1547, Patrick, Earl Bothwell, waited on the Protector Somerset at Leith ; "a gentleman he was," saith Patten, 81, "of a right *comely port* and *stature*, and of just and *honourable dealing* towards the *English King*."

(*d*) In the presence of the council, on the 28th of February 1547-8, John, Lord Borthwick, at the governor's command, took upon him the keeping of the fortalice of *Hailes*, and obliged himself to keep the same surely from our old enemies and all others, and not to deliver it to Patrick, Earl of Bothwell, or any in his name, under the penalty of £10,000. Keith's App., 56.

(*e*) Rym., xv., 190, has recorded the voucher of his crime and the detail of his disgrace.

(*f*) On the 23rd of May 1550, the Queen [Dowager], the governor, and council, considering the high attempts committed by Patrick, Earl of Bothwell, and how he has held himself to his sovereign lady, directed him to be prosecuted for treason. Keith's App., 66.

(*g*) Lord Hailes, Remarks, 173-5, was the first to ascertain the epoch of his death from the *inquest after* his death. In Tytler's Inquiry, ii., 401, there is a very curious document from the Hamilton Archives, being proofs of consanguinity in the process of divorce by James, Earl Both-

Henry, Lord Sinclair, by Margaret Hepburn, a daughter of Patrick, the first Earl of Bothwell; and by Agnes Sinclair, who long survived him, and who was divorced by him, for whatever cause, he left James his heir (*h*); and Jean, who married John Stewart, the prior of Coldingham, by whom she had Francis, Earl of Bothwell, the great perturbator of James VI.'s reign.

James, Earl of Bothwell, succeeded his father; being served heir by an inquest of the country on the 3d of November 1556 (*i*). Besides the great estates of his father, he inherited from him the offices of great admiral of Scotland, sheriff of Edinburgh, of Haddington, and of Berwick, and also baillie of Lauderdale. He was thus, by descent, the most powerful noble of Southern Scotland, with the castles of Hermitage, of Hailes, and of Crichton, for his fortlets. At the epoch of his father's death he probably resided with him in some foreign land; and he certainly returned to Scotland in November 1556, when he was served his heir (*k*). He attended his duty in the parliament of December 1557, when he signed the commission of *the Estates* for negotiating the marriage of their infant queen with the Dauphin of France (*l*). As sheriff of Edinburghshire, he attended the constable and the marshal at the opening of the parliament on the 29th of November 1558 (*m*). This seems to have

well from Lady Jean Gordon. The witnesses prove the pedigree thus: Patrick, Earl Bothwell, who died in 1508, by Lady Margaret Gordon, had a son, Adam, who fell on Floddon Field in 1513. Patrick, Earl Bothwell, his son, who last died *at Dumfries* [in September 1556]. James, *now* Earl Bothwell, married Lady Jean Gordon. This document proves, in opposition to Douglas, that between Earl Adam and Earl James there was only one Earl and not two; second, that this one Earl was Patrick, who died in 1556, and finished his guilty career at Dumfries, and not in foreign parts, if we may consider this paper as genuine.

(*h*) James, Earl of Bothwell. on the occasion of the proposal made to the Queen by Secretary Lethington to divorce her from Darnley, "Allegit the exampill of himself that he ceissit not to succeed to his father's heritage without any difficultie, albeit thair was divorce betwixt him and his mother." Goodall's App., 319. She outlived her husband, Patrick, Earl Bothwell, a dozen years. This divorce must have taken place before the year 1543, when Earl Patrick made love, as we have shown, to the dowager Queen.

(*i*) Lord H. Rem., 173; Lord Elibank's Letter thereon, 32. As his father came of age in 1526, we may suppose that his heir was in 1556, nine-and-twenty or thirty, his father having married Agnes, the daughter of Henry, Lord Sinclair, and his own cousin. We may remember that Earl Patrick complained *of being kept by the King very long in his infancy.* This implies that he was *a forward youth,* and may have married his cousin even before he was of age.

(*k*) We may infer as much from Queen Mary's instructions to her ambassador in France, which were no doubt drawn by Bothwell himself: "Bygynand his verie zouth and *first entres to this realme* immediatlie aftir the deceis of his fader."

(*l*) Keith's App.. 19.

(*m*) Parl. Rec., 729.

become the established duty of the sheriff in whatever shire the Estates assembled. He probably acted with some vigour during the queen regent's war, which was ended by the peace of Cambray in April 1559. As lieutenant of the Borders, he met the Earl of Northumberland, the English lieutenant, for adjusting some border differences (*n*). In this character of lieutenant, on the 31st of October 1559, he intercepted Cockburn of Ormiston, near Haddington, when he was bringing a large sum of money from Berwick to the insurgents; being Elizabeth's fuel for inflaming the contentions of Scotland. The insurgents severely felt that interception of their supplies. They immediately sent some forces with artillery to his castle of Crichton, which they easily took, and sufficiently garrisoned (*o*). This ruinous war ended in July 1560, when the contending armies of England and France retired from Scotland (*p*).

In contemplation of the return of the widowed queen, Bothwell and other nobles went into France to offer their duties, and propose their services. Mary landed at Leith on the 19th of August 1561, whatever obstructions Elizabeth could oppose to her voyage (*q*). Her government she immediately placed in Protestant hands; with the prior of St. Andrews at its head; and Bothwell was made a privy councillor (*r*). Yet, with the turbulence of his nature, did he raise a violent tumult in Edinburgh in December 1561, about a merchant's daughter, which disturbed the queen's government; and being summoned to court, he was ordered to quit the town till the 8th of the sub-

(*n*) Northumberland's Letters in Keith's App., 89. (*o*) Ib.. 43.

(*p*) In the meantime died, in Edinburgh castle. on the 10th of June 1560, the Queen Dowager, who had been courted by Bothwell's father in 1543, as we have seen. Francis II. died on the 5th of December 1560, a circumstance which induced Mary Stewart to think of returning to her native kingdom.

(*q*) Birrel's Diary, 4, who simply supposes that she was stolen out of France by certain Lords. Keith, 180.

(*r*) Keith, 187. On the 24th of September 1561. the envoy Randolph wrote to Secretary Cecil: "The men-at-arms keep the possession of *Montross* [Melrose Abbey] against the Earl of Bothwell and all his friends." Ib., 191. Yet Bothwell attended the privy council on the 13th of October. Ib., 198. On the 24th of October, Randolph wrote to Cecil: "The Lord John of Coldingham hath not the least favour with his leaping and dancing; he is like to marry the Lord Bothwell's sister. The Earl hath given to him old lands of his father's in Teviotdale and the *Abbey of Melros.*" Ib., 196. Of Melrose, however, the Earl of Arran seems to have been put into possession by the Queen's authority. Ib., 202. To this contest about Melrose Abbey may be traced the origin of the enmity between Bothwell and Arran and the Duke of Chatelherault. Arran's father. The Duke disdained the proffered friendship of Bothwell. Ib., 208.

sequent January (*s*). The Earl of Arran, who avowed his enmity to Bothwell, emulated him in his turbulence, and allowed his wildness to form the project "of carrying off the queen from her palace of Holyroodhouse" (*t*). The contests and accusations of Arran and Bothwell disturbed and occupied the queen's government throughout most of the year 1562 (*u*). Bothwell had other enmities, and engaged in other turmoils. About the 18th of March in this year, Bothwell beset Cockburn of Ormiston, his wife and son, a hunting, and having carried his son towards his castle of Crichton, he was rescued by the country people, who insulted Bothwell. The queen and her council were greatly offended with Bothwell at that unprovoked outrage (*x*). In those various intimations from original documents, we may see at once the character of Bothwell, and the unquiet temper of unsettled times.

Bothwell was now immured in Edinburgh castle, safe from Arran's madness, Murray's wrath, and his own turbulence; and the queen's minister now found leisure for carrying into effect his plans for securing his precarious tenure of the earldom of Moray, and for ruining the Earl of Huntly. For those corrupt ends, he induced the queen and her council to travel into the north, rugged as it

(*s*) Randolph's letter to Cecil, Ib., 210-11, from which it appears that Bothwell had, moreover, a quarrel with the Laird of Ormiston and his friends. Id.

(*t*) MS. Correspondence in the Paper Office, 2nd January 1561-2. On Sunday, the 11th of the same month, "the Lord John married the Earl of Bothwell's sister at Crichton castle, the Queen being present: much good sport there was, saith Randolph to Cecil, and many pastimes." Id. The *Lord John* was the natural son of James V. by Elizabeth, the daughter of Sir John Carmichael, and he was of course the Queen's natural brother. In conformity to the French practice, the bastard sons of the King were called by courtesy *Lords*, as Lord John; Lord *James*, the Queen's famous minister, who dethroned her. By Jean Hepburn, who became the sole representative of James, Earl Bothwell, her brother, the Lord John had a son, Francis Stewart, who was created Earl of Bothwell, and who, for his rebellious practices against his benefactor James VI., from whom he obtained the estates and offices of his uncle, was forfeited in 1593, and retired to France, and thence went to Italy, where he died in 1624. Crawfurd's Hist. of the Stewarts, 38.

(*u*) "Much ado there hath been," saith Randolph to Cecil, on the 28th of February 1561-2, "to agree the Earl of Bothwell and my Lord of Arran." MS. Correspondence in the Paper Office. In March and April, Arran and Bothwell were brought before the Queen's ministers at Falkland and St. Andrews, where they were both heard. Arran appeared to be deranged; and Bothwell, from his own acknowledgment, being guilty in some points was committed to ward. Id. "The queen (saith Randolph) sheweth herself not a little offended with the Earl of Bothwell, unto whom she hath been so good; and doubtless, he added, shall find little favour." MS. Correspondence in the Paper Office. On the 11th of May, Bothwell was imprisoned in *Dunbarton* castle, and Arran remained in the castle of St. Andrews. Id. Instead of Dumbarton, Bothwell was imprisoned in Edinburgh castle.

(*x*) Randolph's Letter to Cecil in the Paper Office.

was, and founderous as were the roads. They set out from Stirling castle on the 18th of August 1562, on horseback, and she was accompanied by Randolph, the English ambassador. After effecting Murray's purpose by her presence, she returned to Edinburgh in December of the same year. Meanwhile Bothwell made his escape from Edinburgh castle (*y*), but in Hermitage castle he did not remain long. Watched by the English warden of the marches, and pursued by the queen's ministers, he found it necessary to seek for safety in less hostile countries (*z*); but he was not yet free from danger. The ship which carried him to sea put into Holy Island in Northumberland, and Mary's ministers, Murray and Lethington, concurred with Elizabeth's ambassador, Randolph, to have Bothwell detained in England (*a*). On several applications of Bothwell's friends, Mary exerted herself to obtain leave for Bothwell to depart (*b*), and it is not easy to perceive by what law, in time of peace, he could be detained in England. The queen's representations, as they were more reasonable than Randolph's angry instances, probably prevailed in favour of Bothwell's departure into foreign parts. In France he was not quiet, throwing out menaces against Mary and Elizabeth, and speaking evil of the ministers of

(*y*) On the 18th of September, Randolph wrote from Spynie, in Moray, to Cecil: "Since the Earl of Bothwell's escape out of prison we hear nothing of him but that he fortifieth a house called the Ermitage in Lidisdale." MS. Correspondence in the Paper Office.

(*z*) He went by sea from North-Berwick. On the 30th of December 1562, Randolph wrote to Cecil from Ormiston: "This Day the Queen is in Dunbar to be merry with my Lord John of "Coldingham [who married Bothwell's sister]. The Earl of Bothwell is departed out of this "Country *by sea* either into Flanders or France. Yesterday a sergeant at arms was sent to "summon the castle of Hermitage; and charge is given to the warden of the borders to see "good rule kept, as it is thought that the Lidisdale men will ride safe now that the Earl of "Bothwell is away, *for whose sake they abstained before.*" MS. Correspondence in the Paper Office.

(*a*) From Edinburgh, Randolph wrote to Cecil on the 22nd of January 1562-3: "As soon as "he learned that the ship in which Bothwell had departed was arrived at Holyisland, he, by "advice of Murray and Lethington, wrote the Queen's officers at Berwick to have him seized, "which was done; and this he had intimated to the Scottish queen. Murray, Argyle, Lethington, "and Pittarrow intrigued with Randolph to get him detained in England. Queen Mary requested "that he might be sent into Scotland. But Randolph presses his being detained in England, and "represents him to be *a determined enemy of England; despiteful out of measure*, false, and untrue "as a devil; and that the godley of this nation [Scotland] hath cause to curse him for ever for "his thievish act against the Laird of Ormistoun." MS. Correspondence in the Paper Office. Throughout this letter Randolph shews his enmity to Bothwell, and asks pardon of Cecil for writing so angrily.

(*b*) Keith, 248.

both those queens (*a*); and about the beginning of March 1564-5, he returned to Scotland and found it difficult, within the southern shires of which he was sheriff, to obtain a safe retreat (*b*). He was equally pursued by the Scottish and the English ministers (*c*). Bothwell still remained in Hermitage castle at the end of March 1565, where he had a great following of Liddesdale men. By the queen's directions, however, he was obliged to enter into a recognizance to appear before the justice court on the 4th of May then ensuing. The Earl of Argyll, the justiciary, and the Earl of Murray, the minister, came into Edinburgh about the 1st of May 1565, at the head of five thousand men, to hold the justice ayre. Bothwell being called did not appear, and there-

(*a*) On the 4th of March 1564-5, Randolph wrote to Cecil that Murray of Tullibardine had come from Bothwell out of France to sue for some favour, either liberty to return or means to live there. They think him worthy of no favour that *conspired to kill the Queen* and those in credit about her. Keith, 269. This allusion is obviously to the frantic Arran's conspiracy. Randolph again wrote to Cecil on the 15th of the same month: "The *Queen* [Mary] misliketh *Bothwell's coming home*, and "hath summoned him to undergo the law or be proclaimed a rebell. He is charged to have spoken "dishonourably of the Queen, and to have threatened to kill Murray and Lethington; David Pringle, "one of Bothwell's servants, will verifie it." Keith. 270.

(*b*) On the 10th of March 1564-5, the Earl of Bedford wrote to Cecil that, "the Earl of Murray doth sue very earnestly to put Bothwell to the horn," to an outlawry. MS. Correspondence in the Paper Office. On the same day Bedford again wrote to Cecil: "Bothwell hath been in divers places, "at *Hadington, with his mother*, and elsewhere, and findeth no safety anywhere. Murray followeth "Bothwell so earnestly as he hath said *Scotland shall not hold them both.* The matter groweth upon "great and injurious words spoken against the Earl of Murray by Bothwell in France, in the hearing of "a gentleman who hath reported the same to Murray." Id.

(*c*) On the 23rd of March 1564-5, Bedford said to Cecil, "he would be glad to know the Queen's pleasure touching Bothwell if he should come within his charge, for except I be otherwise commanded *I mean to stay* him, *for so I am required to do from the court of Scotland.*" Id. On the 24th of the same month Bedford pressed Cecil for orders in respect to Bothwell who, he feared, was secretly comforted by the Scottish Queen. Id. And yet on the 30th of the same month Randolph wrote to Cecil that "Bothwell hath grievously *offended the Queen of Scots*, by words spoken against the English Queen, and also against herself, calling *her the Cardinal's hoore*; she hath *sworne unto me upon her honour that he shall never receive favour at her hands.*" Id. Cecil must have been distracted between the contradictory reports of Bedford and of Randolph, as to Bothwell and the Scottish Queen during March 1565. The fact probably was as Randolph had stated above. Scarcely any woman but must have hated the man who had called her the *Cardinal's hoore;* I am unable to explain the meaning of that scandal. Bedford at the same time informed Cecil that Bothwell, when in France, had threatened to kill him [Cecil]. Many of those stories from France must have been calumnies, as they seem too violent for common life. Pringle, a servant of Bothwell, was quoted as the author of those tales.

upon his recognizance was forfeited in the usual form (*d*). Bothwell feeling that he had few friends, many enemies, and two governments to pursue him for his *words* and *deeds*, embarked at North-Berwick for foreign parts during the last week of April 1565 (*e*). As Randolph and Bedford had now obtained their ends by the expulsion of Bothwell, their pens for some months do not mention the object of their hate (*f*).

A new source of trouble was now ready to open. The queen, according to her duty, resolved to marry. Her purpose was opposed by the Duke of Chatelherault, the heir presumptive to the crown, and by Murray, her bastard brother and minister, and by all who were connected with them in interest or in faction. They carried their opposition to the full length of open rebellion, and yet the queen married her cousin Darnley, to whom there could be no political objection, on the 29th of July 1565 (*g*). The queen now found it necessary to conciliate many friends (*h*). The popularity which attended the queen's marriage seems to have crushed the rebellion and expelled the rebellious chiefs (*i*). If we might credit a corrupt agent, we ought to believe that *jars* soon arose between the queen and Darnley (*k*). Bothwell, in proportion to his natural power from the possessions and offices which he held from

(*d*) Randolph's correspondence with Cecil in the Paper Office. According to Randolph, there would have been a greater army in Edinburgh on that *law day* if the Queen had not objected, and Bothwell's forfeiture would have been larger if the Queen had not interposed. Much, however, must be deducted from the exaggerations of Randolph, who was corrupt and malignant.

(*e*) Randolph and Bedford's Correspondence in the Paper Office.

(*f*) On the 4th of July 1565, Randolph wrote to Cecil: "It is said that *the Earl of Bothwell* and Lord Seton are sent for, which hath the appearance of truth, as they are fit men to serve in this world. It is wished, if they do arrive in England, that they may be put in good surety for a time." Keith, 295.

(*g*) Birrel, 5; Keith, 307.

(*h*) On the 3rd of August 1565, the Earls of *Bothwell* and Sutherland were at this time allowed to return to Scotland. Ib., 310. On the 6th of August, the Earl of Murray was denounced a rebel and driven into England.

(*i*) On the 8th of October 1565, Randolph wrote to Cecil: "This day the Queen hath marched to Dumfries. Huntly and Bothwell are the new counsellors." Keith's App., 165. On the 10th of the same month, Bothwell was present in council at Castlehill, on the road to Dumfries. He was one of the leaders of the army under Darnley, the king. Ib., 115.

(*k*) On the 13th of October in the same year, Randolph wrote to Cecil: "*Jars* have already risen between the Queen and Darnley; she to have her will one way, and he another. He to have his father Lieutenant-General, *and she to have Lord Bothwell.*" MS. Correspond. in the Paper Office. The fact is that they were both Lieutenant-Generals, Lennox in the west, and Bothwell in the south. On the 22nd of October 1565, at Edinburgh, the King and Queen issued a charge to

descent and to his services, acquired credit with the queen and Darnley (*l*). He attended the public councils, and he was employed as a commissioner to setttle disputes on the borders, being lieutenant of the marches *m*). At the ripe age of forty-one, Bothwell married Lady Jean Gordon, the sister of the Earl of Huntly, in the chapel of Holyroodhouse, on the 20th of February 1565-6 (*n*). This marriage, though the nuptial benediction had been given by the lady's uncle Gordon, the bishop of Galloway, was neither fruitful nor fortunate.

We are now arrived at that singular event in the Scottish history, the assassination of Rizzio, the queen's private secretary, in her own presence, on the 9th of March 1565-6 (*o*). The conspirators were conducted to this terrible deed by Darnley, the queen's husband, who was aided by the Earl of Morton, the queen's chancellor, and Lethington, the queen's secretary! This conspiracy, which was followed by lasting consequences, was numerously composed of very leading characters, and it was chiefly formed to prevent the meeting of parliament, which was intended to attaint the expatriated Murray. It was

the wardens of the marches, to prevent the emissaries of the rebels, who had fled into England, from disturbing the borders; and they commanded the Earl of Bothwell, *Lieutenant General of all the Marches*, to see the premises fulfilled. Keith's App., 116. Bothwell then lay with a force on the west borders. In the meantime the English wardens seem to have gained the Liddesdale men. Ib., 165; MS. Correspondence in the Paper Office.

(*l*) On the 31st of October 1565, Randolph wrote to Cecil: "My *Lord Bothwell*, for *his great virtue*, doth now all, *next* to the Earl of Athol." MS. Correspond. in the Paper Office. The Earl of Athol, who certainly had great influence with the Queen, was John Stewart, the *third* Earl of Athol, a descendant of the *black Knight of Lorn*, by Jean Beaufort, the widowed Queen of James I. Crawfurd's Peer., 25.

(*m*) On the 29th of January 1565-6, Randolph wrote to Cecil: "The Scottish Queen had appointed "the Earl of Bothwell and the Laird of Cessford [the warden of the middle marches] to meet the "Earl of Bedford and Sir John Forster to settle matters in debate between the two realms. Randolph "told the Queen that *Bothwell was a person hated by the English Queen*, and known not to incline to "peace, so if bad consequences followed on her choice, she had herself to blame. She answered that "she could also make exceptions against Bedford, and so would not name another person in the place "of Bothwell." Keith's App., 166. Bothwell and Ker, the Scots commissioners, could not be more corrupt and insidious than Bedford and Forster, as their correspondence evinces, and their actions on the borders demonstrate. On the 8th of February 1566, Bedford wrote to Cecil that "He despairs of justice on the borders while Bothwell is warden [Lieutenant], who neither fears God nor loves justice." Ib., 167. On the 6th of April 1565, Bedford had already written to Cecil: "I assure you, Bothwell *is as naughty a man as liveth, and much given to that vile and detestable vice of sodomy.*" MS. Correspondence in the Paper Office. The reader turns away from such representations, as too much exaggerated for belief.

(*n*) Keith. (*o*) Birrel, 5; Keith, 332.

barbarously executed with complete success. That attainder was prevented, Murray was restored to his power of mischief-making, and Morton, who had remained with Mary during Murray's rebellion for the purpose of betraying her, was now obliged in his turn to seek the same protection from Elizabeth which she had given to Murray. Mary's friends, Huntly and *Bothwell*, Athol and Fleming, Livingston, and others who then lodged in the palace of Holyrood, hardly escaped from the spears of the conspirators (*o*). On the subsequent night, the queen persuaded Darnley to flee with her to the castle of Dunbar, where she was soon surrounded by her faithful nobles. Among them was *Bothwell*, who had the keeping of this unsuspicious strength (*p*). They soon returned in a sort of triumph to Edinburgh, and here did Bothwell concur with other nobles in advising their insulted sovereign to reside in Edinburgh castle, as the safest shelter for a pregnant queen (*q*). In this secure retreat, she was delivered of her son James, on the 19th of June 1566 (*r*). After a while, the queen went along the Forth to Alloa, for the benefit of air, accompanied by the Earl of Mar, the owner of Alloa, by Murray, and by Bothwell, *as great admiral* of Scotland (*s*). Here she received to her presence her secretary Lethington, which was another name for talents and treachery; and he was the first of the assassins of Rizzio whom she pardoned, at the instance of Athol, *though much against the inclination of Bothwell* (*t*). From Alloa, the seat of Mar's hospitality, the king departed for Tweeddale in August 1566, to enjoy the amusement of the chase, attended by Huntly, Murray, Bothwell, and other nobles; but the guilty thoughts of Darnley still accompanied him, and the public contempt constantly remembered him of his shame. From the sports of

(*o*) Keith, 332. (*p*) Ib., 333; App., 130.

(*q*) Ib., 335. She now sent for Argyle and Murray, whom she reconciled to Huntly, Bothwell, and Athol. Ib., 336; Holinshed.

(*r*) Birrel, 5; Keith, 338. The Earls of Argyle, Athol, Murray, and Mar had remained with her in the castle as her counsellors, and Huntly and *Bothwell* lodged in the city. Id.

(*s*) Ib., 345.

(*t*) Id. Morton and Lindsay were afterwards pardoned, at the request of Huntly and *Bothwell*. Ib., 334. On the 2nd of August, 1566, Bedford wrote to Cecil that "Lethington's peace is to be made with his sovereign. The Lords Maxwell and Bothwell are now enemies; Bothwell is generally hated, and is more insolent than even David Rizzio was." Keith App., 169. On the subsequent day Bedford wrote to Cecil that "Queen Mary meaneth shortly to go against Cessford, &c., and keep a justice court at Jedburgh. Bothwell shall come in with forces." Id. On the 9th of the same month Bedford again wrote to Cecil that "Bothwell is still in favour, and has a great hand in the management of affairs." Id.

Tweeddale they returned to the business of Edinburgh (*u*), and thence proceeded to enjoy the agreeable scenes of Stirling where they might see the prince. The queen and her court soon after proceeded to Jedburgh, to hold a justice ayre on the borders. Bothwell, as lieutenant of the marches, was sent forward to Liddesdale, the chief seat of outrage, to enforce obedience and to arrest the criminals. But the people of Liddesdale had been gained by Forster the English warden, and the authority of the lieutenant was defied, and Bothwell was fiercely attacked and severely wounded (*x*). The queen, who was then superintending, according to her duty, the justice ayre at Jedburgh, and hearing of that outrage on her lieutenant, immediately rode to Hermitage castle to visit him, but returned the same day to pursue her juridical business. Yet her fatigue, perhaps her anxieties, brought on a violent fever which long continued to threaten her life (*y*). Her youth and constitution saved her, though her physician Nau is praised for his skill and care. The court remained at Jedburgh till the end of October (*z*). The queen now made a tour through *the Merse;* threw her curious eyes on Berwick from Halidon-hill; reposed at Dunbar; and arrived about the 20th of October at Craigmiller near Edinburgh. Here she remained till her removal to Stirling, to attend the long-expected baptism of her son on the 15th of December 1566. Throughout those various scenes, Darnley seems to have been oppressed by his compunctions of conscience, and to have retired from the head of that govern-

(*u*) On the 17th of September 1566, Bothwell was present in council at Edinburgh. Keith, 351. He was there also present in the great council which gave a supply of £12,000 for defraying the expense of the prince's baptism. Ib., 359.

(*x*) On the 8th of October 1566, "James, Earl Bothwell," saith Birrel, p, 5, "was deidly wounded by John *Elette, alias* Johne of the Park, whose head was sent into Edinburgh thereafter." There were intimations throughout the foregoing months of some purpose to assassinate Bothwell. It is stated in a letter from Alnwick, of the 3rd of April 1566, that one of Bothwell's servants confessed that he and four more of his fellow-servants had conspired to murder Bothwell, and that Lethington had engaged them in that design. The other servants, upon examination, confessed the same. Keith App., 167. The connection of this previous design with the subsequent stroke is not quite obvious; but any murderous purpose from the fruitful contrivance of the queen's secretary was very probable.

(*y*) "On the 25th of October 1566 (seventeen days after the event), word came to Edinburgh," saith Birrel, 6, "that her Majestie was deadlie sieke, and desired the bells to be rung, and the people to resort to the kirk to pray for her." Keith, 351; App., 133-36. Hermitage Castle is about twenty statute miles from Jedburgh, as measured on the maps; so the queen in one day rode about forty miles through a rugged country.

(*z*) On the 27th of October, the Bishop of Ross wrote from Jedburgh to Archbishop Beaton at Paris: "My Lord Bothwell is heir, wha convalescis well of his wounds." Keith's App., 136.

ment where he had been unworthily placed. His weakness did not permit him to know that he who forsakes the world will be forgotten by the world.

Of this estrangement, there were busy and powerful men who turned it to their advantage and his ruin. Murray and Lethington, in order to procure the pardon of Morton for the murder of Rizzio, conceived the design of procuring the divorce of Darnley from the queen. While Mary remained quietly at Craigmiller with her court, Murray and Lethington proposed their double project to Argyll and Huntly and to *Bothwell.* The acquiescence of these powerful nobles being thus obtained, Murray and Lethington, Argyll and Huntly and *Bothwell* made a formal proposal of divorcing the queen from Darnley, if she would pardon Morton and the other assassins of Rizzio. They were less successful than they could have easily expected. After many arguments for enforcing such dangerous projects, the queen declined to assent, fearing for her own honour and her son's succession (*a*). Bothwell seemed eager for the divorce, quoting the example of his own succession though his father and mother had been divorced. Happy ! had they obeyed the queen's command to do nothing in this matter, lest in their endeavours her honour might be spotted ; lest in attempting to do her service they might do her injury (*b*). The project of a divorce seems not to have been revived. But Murray, Lethington, and *Bothwell,* appear to have continued the most odious designs, though without the queen's knowledge (*c*). As Morton had obtained the restoration of Murray, though by the most odious deed, so Murray was never at rest till he had obtained the pardon of Morton. During the hilarities of the prince's baptism, the queen, probably, agreed to restore Morton rather

(*a*) See the Protest of Argyll and Huntly, in Anderson's Col., iv.; Keith's App., 137 ; Spots. Hist., 197 ; Goodall, ii., 316. Murray, by attempting to answer this protestation of the Justice General and Chancellor of Scotland, only confirmed their representations. See Murray's Answer, subjoined to their Protestation, in the works quoted above. They stated facts in detail ; he denied them in the general, and thereby virtually admitted their truth.

(*b*) Id.

(*c*) The Earls of Argyll and Huntly, who saw the passing scene, were of that judgment ; for they went on in their Protestation to say : "So, after the premises, the murther of the said Henry Stewart [Darnley] following, we judge in our consciences, and hold for certain, that the said Earl of Murray and Secretary Lethington were authors, inventors, devisers, counsellors, and causers of the said murder, in what manner, or by whatsomever persons, the same was executed." See as above, Anderson's Col., iv. ; Keith's App., 137 ; Goodall, ii., 320. It is curious to remark, that Lethington was convicted for the murder of Darnley ; that Bothwell was acquitted, though he was guilty ; and that Murray has been always suspected and charged with the same crime.

than be persecuted by constant solicitation. He was certainly pardoned before the 30th of December 1566 (*d*). Neither Darnley nor Bothwell seem to have attended the prince's baptism. The king and queen kept their Christmas at Stirling. On the 27th of December, Darnley went to visit his father at Glasgow, where he was soon taken ill of the small-pox (*e*), and on the 28th of December she began to make various excursions for the amusements of the country (*f*). Before she set out she had heard of the king's sickness, and had sent her physician to attend him. On the 13th of January 1566-7, the queen and prince returned from Stirling to Edinburgh (*g*). At the end of a week she went to Glasgow, where she continued with her husband till he was able to travel (*h*). She then went to Glasgow from Edinburgh on the 20th of

(*d*) On that day Bedford, who had come to represent Elizabeth at the prince's baptism, wrote to Cecil from Fife: "I have now been 6 or 8 days at St. Andrews and other places of Fife "with my Lord of Murray, who hath himself and by his friends, used me with much honour, "great cheer, and courteous entertainment. The Queen *hath now* granted to the Earl of Morton, "the Lords Ruthven and Lindsay, [the assassins of Rizzio] their pardon and restoration. The "Earl of Murray hath done very friendly towards the Queen for them, so have I, *according to* "*your advice.* The Earls *Bothwell* and Athol, and all the other lords helped therein, or else it "would not so soon have been gotten." MS. Correspondence in the Paper Office. The pardon was signed the 25th of December 1566. On the 9th of January 1566-7, Bedford again wrote to Cecil from Berwick: "The Earl of Morton having now obtained his pardon, doth think himself "much beholden to you, for your favour and goodwill therein. There were some that thought "to hinder the same, but his friends stuck so to it on his behalf, as prevailed therein. In "the which, the Earl of *Bothwell*, like a very friend, joined with my Lord of Murray, so did Athol "and others." Id. Bedford remained in Scotland from the 10th of December to the 6th of January 1567-8. Birrel, 6.

(*e*) Goodall, i., 321.

(*f*) Ib., 322. On the 28th of December, she went to Drymen near Loch Lomond. On the 29th, she returned to Stirling, where she remained on the 30th. On the 31st, she went to Tullibardine, where she conferred a benefice on Adam Murray, a servant of Bothwell, and on the 1st of January 1566-7, she returned to Stirling, where she remained till the 13th, when she set out for Edinburgh. Id. Keith, 363.

(*g*) Birrel, 6, "At which time," he adds, "King Henry was lying sick in Glasgow of the *small pocks*, but some said he had gotten poison." Bedford wrote from Berwick to Cecil on the 9th of January 1566-7: "The king is now at Glasgow with his father, and there lyeth full of *the small pocks, to whom the Queen hath sent her physician.*" MS. Correspondence in the Paper Office. Keith, 364, seems unable to ascertain the nature of the disease which afflicted Darnley. Upon such a point, Bedford's letter is surely decisive of *the fact.* The story of poison was merely the fabrication of party.

(*h*) "On the 20th of January, the Queen departed out of Edinburgh to Glasgow, to visit the King," saith Birrel, Diary 6. "On the 31st of January 1566-7," he adds, "the King and Queen came to Edinburgh out of Glasgow, the King being carried in a chariot, and took his lodging in the kirk of

January, and brought the king with her to Edinburgh on the 31st of the same month. When we view the conduct of the queen, from the evidence of facts, disregarding the misrepresentations of calumny, it appears perfectly natural. The wife, in general, adheres to the husband while there is any hope; and we shall find that, unconscious of the designs of others, she adhered to Darnley, disgusted as she was with his guilt and follies, till within a few hours of his assassination.

From the attempt of Lethington and Murray at Craigmiller to obtain the queen's assent to the divorce of her husband, which was zealously pursued by Bothwell, we see little of him in the original documents till the death of Darnley. He did not appear at the prince's christening, as he knew Bedford, the representative of Elizabeth, was his enemy. Bothwell certainly must have appeared at court, in the meantime, as we know from Bedford's letters, which show that he concurred with others, as *a very friend*, in procuring Morton's restoration before the end of December 1566 (*i*). Morton returned to Scotland in the first week of the subsequent January (*k*), and Bothwell soon after met

field." Id. Cecil's Diary makes the Queen depart from Edinburgh for Glasgow on the 21st of January, to have arrived there on the 23rd, to have departed from Glasgow with the King on the 27th of January, for Callander house, on their way to Edinburgh, to have departed thence for Linlithgow on the 28th, where they remained on the 29th, and to have set out on the morrow, and arrived at Edinburgh on the 30th of January 1566-7. Keith, 364. This Diary of Cecil was plainly compiled by him, from that despicable fabrication which Whitaker calls the *Rebel Journal*. Vindication, i., 411, and App., x. Birrel is by far the best authority. The hand of Cecil is always to be regarded with a suspicious eye.

(*i*) Upon Christmas eve the pardon was granted to the Earl of Morton and *seventy-five* of his accomplices, for making the Queen a prisoner and slaying Rizzio. Goodall, i., 321. The pardon seems to have been sealed on the morrow.

(*k*) Birrel, 6. That Bothwell and Morton had friendly communications during that week is certain, for he confessed on *the scaffold*, being cross-questioned by the attendant ministers, Dury and Balcanquhal, "that the first after my returning out of England when I was banished "for Davies slaughter, I came out of *Wedderburn* to Whittinghame, where the Earl of Bothwell "and I met together, and in the yard of Whittinghame, after long communing, the Earl of Both- "well proposed to me the purpose of the King's murther, requiring what would be my part "thereinto, seeing it was the Queen's mind that the King should be taken away, because, as he "said, she blamed the King more of Davies slaughter than me. My answer to the Earl of Both- "well was this, that I would in no wise meddle with that matter, because I am but newly come "out of great trouble, whereof as yet I am not ridd.——After this answer, Mr. Archibald Douglas, "[who, like Bothwell, was tried for the King's murder, and collusively acquitted] entered in "conference with me in that purpose, persuading me to agree to the Earl of Bothwell. Last of "all, the Earl of Bothwell, yet being in Whittinghame, earnestly proposed the said matter to me "again, persuading me thereunto, because he knew the Queen's mind, and she would have it to

him at Whittinghame in East-Lothian, about five miles southward of Haddington, for concerting the murder of Darnley. From the mouth of the dying Morton, we have heard the conversation which passed between them. The whole turned upon the murder of Darnley, who then lay sick of the small-pox at Glasgow, attended by the queen's physician; the queen being then at Stirling. While the queen was thus solicitous for the king's safety, Bothwell told Morton that she desired his death. Yet, when Morton, with his usual cunning, asked some written proof of the queen's will, he had not a single scrap of a letter or sonnet, or promise of marriage at that memorable meeting; and we also discover from that conversation, that a month afterward, at the eve of the murder, that he had not even then any of the queen's writings, as a proof to Morton of her purpose. In the fabricated journal of Moray, we see Bothwell on the 21st of

"be done. Unto this my answer was: I desired the Earl of Bothwell to bring the Queen's *hand write* "to me, of that matter, for a warrant; otherwise I would not meddle therewith. The which warrant "he never reported unto me."—Morton afterward added: "I being in St. Andrews, to visit the "Earl of Angus, *a little before the murther*, Mr. Archibald Douglas came to me there, both with "*write* and credit of the Earl of Bothwell, shewing unto me that that purpose, concerning the "King's murther, was to be done, and near a point, and to require my concurrence and assist-"ance thereunto. My answer was to him, that I give no answer to that purpose; *seeing I had* "*not gotten the Queen's warrant in write*, which was promised unto me; and, therefore, seeing the "Earl of Bothwell never reported any warrant of the Queen, I meddled never further with it." See *Morton's Confession*, in Bannatyne's Journal, 494-6. The whole scene of this solemn narrative of Morton on the scaffold extended from the first week in January 1566-7 to the first week of the subsequent February; and during this anxious period, Bothwell had not in his power *any writing* of the Queen, whether *letter, sonnet, contract of marriage*, or *other document*, which he could produce to Morton, as the Queen's warrant, either virtual or positive, for engaging Morton's concurrence. Now, several of the Queen's supposed letters to Bothwell appear to have been written from Glasgow on the 24th and 26th of January, within that period. Whitaker's Vindication, i. 415. The Queen's supposititious promise of marriage to Bothwell was written, according to Buchanan's *Detection of Mary's Doings*, "*befoir* the *deith* of her husband." Goodall, ii. 54; and yet Bothwell had not, in that period, any writing of the Queen which could be shown to Morton as an evidence of her assent to the murder of her husband. Here, then, is a plain demonstration of the subsequent forgery of those supposed *letters, sonnets*, and *spousals* which the same Morton pretended to have found in a gilt box belonging to Bothwell, on the 20th of June 1567; but Morton knew, from the inability of Bothwell to produce any of the Queen's writing, that there could be no such writings found. Here, again, is a proof of the *fiction* which pretends that such letters were found. We have seen above with what firmness the Queen rejected the insidious proposal of Lethington and Murray for her divorce from Darnley; we have perceived, in Bedford's letter, who was not her friend, that as soon as she heard of her husband's sickness, she had sent her own physician to attend him; and we have also seen her travel, in the depth of winter, to visit him at Glasgow. We now perceive, in that dying confession, the daring of Bothwell and the cunning of Morton, and a new vindication of Mary.

January, convoy the queen from Edinburgh to Callander with Huntly; on the 23d of the same month he returned to Edinburgh; on the 24th he was very busy in visiting the king's intended lodging at Kirk-o'-field, and went the same day to Liddesdale; on the 28th he returned from Liddesdale to Edinburgh; on the 29th the queen remained at Linlithgow with the king, and wrote from thence to Bothwell; and on the 30th of the same month he met the queen and king on the road, and convoyed them safely to the place appointed for the murder of the devoted Darnley (*l*). Yet, of this fabrication, the dates are mistaken, and the statements are false. It is not easy, however, to ascertain from any genuine document how Bothwell employed himself during the dreadful period, from the conception to the execution of the murder. He was plainly occupied in gaining supporters, and preparing instruments, who were too circumspect to reveal what would have disappointed their hopes. Murray and Lethington were in the secret (*m*). Morton knew it, from the communication of Bothwell, yet did not reveal the conspiracy which he had an interest to conceal; and the queen's principal ministers were all acquainted with that odious purpose; yet did they not reveal it to their mistress, nor to any magistrate (*n*). The queen spent the evening of the 9th of February in the lodging of the convalescent Darnley; and at 12 o'clock she departed to a masque, kissing him when she left him, and taking a ring from her finger which she put upon his (*o*). Two hours after her departure Darnley was strangled, and the house wherein he lay was blown up. It would require *proofs of holy writ* to satisfy any fair mind, that a queen, a wife, or a woman, knowing that her husband was destined to the bowstring, could amuse herself with him till within two hours of the sad catastrophe, could kiss him at parting, could exchange a ring with him as an emblem of their connection, without feeling the compunctious visitings of conscience (*p*).

(*l*) See that journal in Whitaker's Vindication, iii., App. x.. which was obviously fabricated for the purposes of deception; and see it in Tytler, ii., 400.

(*m*) Keith, 365; Tytler, ii., 46-9.

(*n*) Lethington, her Secretary of State, was afterward convicted of knowing and concealing this plot, and would have been executed if he had not taken poison.

(*o*) Those instructive facts are attested in Anderson's Col., ii.. 72; Jebb, i., 262; Keith, 364; Tytler, ii., 80.

(*p*) We have already seen how firmly the same queen resisted the importunities of her ministers and nobles, when they applied to her for her assent to a divorce from Darnley; because she feared it would spot her own conscience, and endanger her son's succession. She sent her physician to attend her husband during his sickness, and she brought him with her from Glasgow to Edin-

James, Earl of Bothwell, was certainly the principal conspirator, and was undoubtedly present at the murder of Darnley (*q*). It was from the epoch of the projected divorce of Mary from Darnley, that the profligate ambition of Bothwell had adopted the odious design of murdering Darnley. The leading men of the state had been completely disappointed in their interested plans, when the queen firmly rejected the proposal of her divorce, and put her trust in providence for the amendment of her wayward mate. They changed their plan, but not their purpose of destroying Darnley, the object of their hatred (*r*). Suspicion soon accused Bothwell and his associates, as his enemies knew his secret; and presumption equally mentioned Murray and Morton and Lethington as his coadjutors in the same deed, as their principles and practices

burgh, in the spirit of reconcilement, since without conciliation he would not have left his father's house to accompany her to Edinburgh. But is there no proof of any insidiousness on her side? There is none. Is there no evidence to repel the improbability that such a wife and such a queen, would consent to the murder of her husband? After the inquiries of two centuries and a quarter, there is no proof that she assented to the murder, or knew of any such purpose. Bothwell, indeed, assured Morton that the queen desired the murder of her husband; but when Morton asked Bothwell to shew him some writing of the queen's, which would testify her desire, Bothwell was unable throughout the whole month that preceded the murder of Darnley to show a single scrap of writing to that effect. This inability proves also, that though Bothwell could *lie*, he could not *forge*, during a period when *forgery was so frequent*. Now the improbability that any wife, that such a wife, would assent in any manner to the murder of her husband, must remain till truth be brought to overrule such improbability. Whoever believes that Mary Stewart had any previous knowledge of the purpose to assassinate her husband Darnley, must believe so without evidence, and when I say this I mean to add that the *letters, sonnets, contracts of marriage*, which Morton, who was capable of any villainy, pretended to have found in Bothwell's box some months afterward were forgeries, as Morton must have known, from the previous inability of Bothwell to produce such writings, when he so much wanted them. [See also Burton's History of Scotland, v. 4.]

(*q*) See the confessions of Hay and Hepburn, etc., in Anderson's Col., ii., 177-83; Keith, 364-5.

(*r*) The great object of the murder of Rizzio was the restoration of the Earl of Murray, who was an expatriated rebel. Lethington and Morton had deluded Darnley to be the principal conspirator against the wretched Rizzio. Murray was restored by his murder, but Lethington, Morton, and others, were obliged to shelter themselves under the wing of Elizabeth. Darnley in a compunctious moment disavowed, in a public declaration, his participation, though it had been open, in the murder of Rizzio; and for this disavowal, Murray, Morton, Lethington, and their friends, never forgave Darnley, but his injured wife forgave him! In those intimations then, we see the motives for their proposing the divorce of Darnley. In those intimations, also, the projected divorce being rejected by the queen, we may trace the design on Darnley's life, which was known to all those parties, except the queen and Darnley, and Murray, Morton, and Lethington, made Bothwell their instrument, by inflaming his vaulting ambition, which overleaped itself. Murray, Morton, and Lethington were meantime aware, "come what, come may," they could convert it to their several designs.

were equally known to those who hated them (*s*). Amidst those terrible scenes, the unhappy queen took refuge in Edinburgh castle. Two days after, the government offered a reward for the discovery of the murderers; yet Murray and Morton and Lethington and other leading men were acquainted with the murderers, and the offering of such a reward was only a part of the concerted plan which they were thus carrying into effect. The night after, placards were affixed to the public places of Edinburgh, accusing Bothwell, who was guilty, and others who were innocent. The queen was advised by her privy council and physicians to retire from the castle of Edinburgh to the more salubrious air of Seton. Here she remained till the 10th of March, when she returned to Edinburgh (*t*). Trusting to his protectors, Bothwell remained at Edinburgh without emotion, though the accusations against him became more frequent and more loud. Lennox, the father of Darnley, avowed himself as his accuser (*u*), and on the 28th of March 1567, the privy council directed him and his associates to be tried for the murder on the 12th of the subsequent April (*x*). The same faction, which had pushed him on such dangerous purposes, now interposed, by intrigue and influence, to obtain his acquittal. Every circumstance concurs to evince that this trial was collusive, and every fact testifies that Bothwell could not have been so tried and acquitted, if he had not been protected by the most powerful faction in the state (*y*); but it is not true, as hath been often asserted, from that age to the present, that the acquittal of Bothwell was confirmed by parliament (*z*).

The parliament assembled at Edinburgh on the 14th of April, two days after the acquittal, and Bothwell was one of the commissioners who met the

(*s*) Keith, 365; Tytler, ii., 94-6. Murray retired from the scene to Fife the day before the murder, and it is remarked of him, that he always went out of the way when some great event was to take place, from which he was to obtain some important object.

(*t*) Keith, 368-9-374. (*u*) Ib., 369-73

(*x*) Ib., 373; Tytler, ii., 96-7, has given a very useful detail of the officers of state at that interesting moment, which evinces that they were all of Murray's faction, rather than the queen's servants.

(*y*) Keith, 375-6-7. Three days before the appointed trial, on the 12th of April 1567, the Earl of Murray set off for France, without any known business, though his presence at such a moment would have been of the greatest use to his queen and country; but he, no doubt, knew that his associates were working on a political plan which would degrade her and elevate him. The four assessors to the justice-general, Pitcairn, Lindsay, MacGill, and Balnaves, were all his particular friends. Ib., 375. Morton, the most powerful person next to Murray in Scotland, who knew the guilt of Bothwell, as we have seen, stood by Bothwell during the trial, and contributed to his defence, as it is said. Ib., 374.

(*z*) Anderson's Col., i., 122; and the Parl. Rec., 753-4.

Estates. It was, indeed, his duty to attend the opening of that assembly as sheriff of Edinburghshire. But he had the audacity, which was not unprecedented in the parliamentary proceedings of Scotland, to carry the sword before the queen when she came to parliament in person (*a*). He was perfectly assiduous in his parliamentary attendance (*b*). On the 19th of April, when the parliament rose, various ratifications were as usual made to different persons. The Earl of Murray, though absent, obtained a ratification of his lands and earldom (*c*). The Earl of Morton obtained a confirmation of his lands, with those of the Earl of Angus, his relation. The Earl of Huntly's forfeiture was reversed, and Bothwell obtained a ratification of his lands and offices, both hereditary and acquired (*d*).

On the morrow after the rising of parliament, a still more extraordinary scene was exhibited. Many bishops and nobles signed a bond in favour of Bothwell (*e*), approving of his acquittal; recommending him as a proper husband for the widowed queen, though he had then a wife; and pledging their assistance in defending such a marriage (*f*). On the 21st of April 1567, the queen repaired to Stirling for the natural purpose of visiting her only son, and returning on the 24th, she was intercepted at Almond bridge, near Linlithgow, and carried to Dunbar by Bothwell, who, with his usual audacity, had determined to enjoy her person even before the projected marriage or his own divorce (*g*).

(*a*) Keith, 378. (*b*) Parl. Rec., 749-50-51.

(*c*) Parl. Rec., 752; Anderson's Col., ii.; Keith, 379.

(*d*) Parl. Rec., 753-4. But it ought to be remembered, in opposition to the well-meaning of Keith and the prejudice of Robertson, that Bothwell possessed almost the whole by descent from his father. He enjoyed from his father hereditarily the offices of great Admiral of Scotland, of Sheriff of Edinburgh, Haddington, Berwick, and Baillie of Lauderdale. He was made Lieutenant of the Borders in 1559 by the queen regent. He probably obtained from Mary Stewart the keeping of her castle of Dunbar, with some lands about it, which his fathers had kept before him. He was also entrusted with the keeping of the castle of Edinburgh. What else he acquired from her is scarcely worth the recital.

(*e*) The real date of the genuine bond was the 20th of April 1567, and not the 19th, as the fabricated journal asserts. Tytler, ii., 143.

(*f*) Keith, 380-3. Murray is said to have signed that scandalous writing, though he had departed to France some days before. This bond was undoubtedly an essential part of the plan, which he had lately approved. Morton, who was the chief manager of this project, and who knew the guilt of Bothwell, also signed that disgraceful deed. Without his signature, few would have signed it, and without his concurrence, the odious plan of ruining Bothwell and Mary would have been altogether incomplete.

(*g*) Keith, 383; Melville's Mem., 1st ed., 79: "Shortly after," says this memoir writer, "her "Majesty went to Stirling; and in her back coming, betwixt Lithgow and Edinburgh, the Earl

A double process of divorce was soon after begun, one suit by Lady Bothwell against her husband, and another by James, Earl Bothwell, against his wife; she complaining of *adultery*, and he of *consanguinity* (*h*); and the divorce was concluded in favour of the wife against the husband on the 3rd of May, and that in favour of the husband against his wife on the 6th of May 1567. Bothwell now brought the queen to the castle of Edinburgh from Dunbar. The banns of marriage were ordered to be published in the church of Edinburgh; but this useful ceremony was resisted by the scrupulous minister, though at some personal risk. On the 12th of May, the Queen came into the Court of Session to satisfy the Judges of her freedom, to avow her displeasure at the seizure of

"of Bothwell rencountered her with a great company, and took her Majesty's horse by the bridle; "his men took the Earl of Huntly, the secretary Lidington, and *me*, and carried us captives to "Dunbar. All the rest were permitted to go free. There the Earl of Bothwell boasted he would "marry the queen, who would or who would not; yea, whether she would herself or not. Captain "Blackater, who had taken me, alledged that it was with the queen's consent."—"And then the queen "could not but marry him, seeing that he had ravished her, and lain with her against her will." Melville, like other men who write from memory, and not from document, speaks of the bond which the bishops and nobles had signed, recommending Bothwell as a proper husband for the queen, as having been made *after* the Queen's return with Bothwell to Edinburgh; but that odious bond was signed, as we have seen, on the 20th of April. On the 21st the queen rode to Stirling, to visit the prince; and upon the 24th of April 1567, her Majesty, saith Birrel, coming back from Stirling to Edinburgh, at the bridge of Craumont, the Earl of Bothwell being well accompanied, ravished the queen, and so took her the same night to the castle of Dunbar (*not against her own will*) he adds. Birrel's Diary, 8-9. We thus perceive that Bothwell, as he had told Morton, that the queen assented to the murder of her husband, now gave out as effective to his purpose, that she had equally assented to her own dishonour.

(*h*) It is not easy to ascertain the true epoch of this double process. There is a document which has been already mentioned and which is published in Tytler, ii., 401, from the Hamilton Archives, being proofs taken in the chamber of the commendator of Lindores at Edinburgh on the 21st of February 1565, to show the *consanguinity* between Bothwell and his wife. That ingenious inquirer did not see that the year 1565 must be mistaken for 1567, as Bothwell and Lady Jean Gordon were only married on the 20th of February 1565-6. Now, if the date in the process above mentioned, really was the 21st of February 1567, this would prove that the process had been begun soon after the murder of Darnley. The fabricated journal of Murray and Cecil states the commencement of the process on the 26th of April; but such a journal is not to be at all believed, and Whitaker endeavours to carry back the commencement of the suit to the 5th of April preceding, on the authority of that fabrication. Vindication, iii., 350. There is an account of that famous divorce, published by Robertson, ii., 438, from a MS. belonging to Mr. David Falkener, which states the commencement of the trial on the 29th of April 1567, and the judgment in favour of Lady Bothwell on the 3rd of May. But the judgment in favour of Earl Bothwell against his wife was not given till the 6th of May. This MS. account casts discredit on the document from the Hamilton Archives, and also on the fabricated journal.

her person, and to pardon Bothwell and his accomplices for carrying her forcibly to Dunbar (*i*). We thus see the unfortunate queen acting from the sad circumstances in which she was placed, by artifices and violences that she could not prevent. She created Bothwell, in addition to all other titles and offices, Duke of Orkney (*k*); as if such a creation could acquit him of criminality, or add to his dignity in the suspicious eyes of her people. On the 14th of May 1567, she entered into a real contract of marriage with the newly created duke, which was recorded on the same day (*l*). On the 15th of May 1567, their inauspicious marriage was solemnized, and the design which had been so artfully laid and steadily pursued for the ruin of the queen and Bothwell, and for the elevation of Murray, was by the same ceremony consummated (*m*). Bothwell in vain tried to give a character of vigour to his administration (*n*). The same faction, with Morton at its head, which had conducted him step by step to his fate, raised the standard of insurrection against his power, and a month of feverish measures, which showed him the vanity of resistance, separated Bothwell from the queen for ever (*o*). He found shelter in Dunbar, the scene of his baseness; he was allowed a dozen days to depart thence for the Orkney isles, and being pursued in his voyage, he raised his flying sail for the Danish shores (*p*). He was here seized, and in the prisons of Denmark did he prolong a wretched life till 1576, when he died in the castle of Malmay (*q*). In the meantime, various instances were made by the Scottish and the English governments to deliver Bothwell to justice; but

(*i*) Keith, 385; Anderson's Col., i., 87. (*k*) Keith, 385; Goodall, ii., 57.

(*l*) Goodall, ii., 57-61. That genuine contract of marriage was lately printed in Carmichael's Tracts, 131, from an original copy in the archives of Mr. Baron Hepburn. A fictitious contract of marriage, dated the 5th of April 1567, before the divorce, which seems to have been fabricated from the recorded contract, was produced by Murray to Elizabeth and Cecil. See it in Goodall, ii., 54. It was produced for the obvious purpose of defamation. He laid before the approving eyes of Elizabeth and Cecil at the same time, a promise of marriage by Mary, which was said to be dated even *before* the murder of Darnley. See it in Goodall as above. This is the promise of marriage to Bothwell, which has been already mentioned as not in his possession before the murder of Darnley, and consequently must be a forgery. The production in evidence by the Earl of Murray, of such a mass of fabrications, evinces that he was as base in his practice as he was base in his birth.

(*m*) Keith, 586. At that grand epoch of their lives, Mary was of age four-and-twenty, and Bothwell was *forty-two*, not forty-four as Tytler says, on further inquiry. Tytler, ii., 150-5.

(*n*) Ib., 387.

(*o*) On the 15th of May they were married, and on the 15th of June, Bothwell fled from Carberry-hill never to see the queen again. Keith, 386-401.

(*p*) Ib., 408. (*q*) Keith, App., 141-5.

the Danish king found satisfactory reasons for declining to comply with their anxious desires (*r*). The dying declaration which Bothwell is said to have made before the privy councillors of Denmark is plainly resigned to general reprobation (*s*). He is supposed to have left in the castle of Edinburgh, when he retired before insurgency, *love letters*, *sonnets*, and *marriage-contracts*, which were found on Dalgleish his servant by the Earl of Morton, and which have been tossed in controversy during two centuries and a half. When Dalgleish was examined upon his oath concerning the murder of Darnley, he said not a word of those doubtful documents (*t*). Morton, indeed, declared that he had found those documents in the charge of Dalgleish on the 20th of June 1567, on his way with them to the absconding Bothwell. But Morton, who thus came forward as the discoverer of this famous casket and the revealer of its notorious contents, had committed murder, was in the practice of fraudulence, and was without morals. The law of every country and of every age has concurred in rejecting such corrupt evidence. The same Morton, however, solemnly said on the scaffold, when he was to die for concealing "the plot of death" on Darnley, that he had asked Bothwell for some of the *queen's writings*, but that no such writing could be shown by Bothwell when he most wanted her writing, during the critical month from the 6th of January to the 6th of February 1567. Such writings, then, did not exist at that period, and were such letters and sonnets written then by the queen, *after the murder* of Darnley, on the 10th of February? "Nothing could have subdu'd *nature* to such a *lowness* but positive *frenzy!*"

(*r*) As early as January 1570-1, there came a letter from Denmark on that subject, which was carefully concealed from the English court and the curious world. The Scottish commissioners, who were then in London, the Earl of Morton, the Abbot of Dunfermline, the Secretary, and James MacGill, the clerk register, gave this account to the regent Lennox. They would not trust this letter to the usual post or common messenger, fearing that some matters mentioned in the same being divulged, as news might hinder their cause, and therefore, they say, "being desired at "court [London] to show the letter, we gave the ministers to understand that we had sent the "principal away, and delivered a copy, omitting such things as we thought not meet to be shewn, as "your grace may perceive by the like copy, which also we have sent you herewith. Goodall, ii., 382, "from the regents register." We thus see the base artifices which those men could commit to gain their corrupt ends.

(*s*) Keith's App., 144-5.

(*t*) See his deposition of the 26th of June, which is published by Anderson Col., ii., 173; and it is remarkable that the lords who examined him (and the knowing Morton was one of them) were too prudent to ask him if such documents were found in his hands a few days before.

James, Earl of Bothwell, left no children to lament his fate, or to be contaminated by his guilt. He was long survived by his sister, who had married, as we have seen, John Stewart, the bastard son of James V., and commendator of Coldingham. He died in 1563, leaving a son by her, Francis Stewart; and she married for her second husband, John Sinclair, apparent heir of Caithness, by whom she had four sons and one daughter. Her son, Francis, seems to have been born in 1562 (*a*). He was educated abroad probably, and returned to Scotland in summer 1582, being then in his twentieth year. In 1581, he was created by King James, who considered him as his cousin, though by an illegitimate line, Earl of Bothwell, Lord Hailes, and Crichton, to whom was given his uncle's forfeited estates; and the king, without any consideration of fitness, made him great admiral of Scotland, sheriff of Edinburgh, sheriff of the constabulary of Haddington, sheriff of Berwick, and baillie of Lauderdale (*b*). James VI., in thus following the absurd fashion of the times, which regarded the king's bastard as something better than any other bastard, only raised up an unprincipled man to dispute his authority, and to distract his people (*c*).

In 1585, Bothwell, who seems to have had the turbulence with the sad principles of his uncle and grandfather, joined the Lords Maxwell and Home and others, in forcibly driving Arran, the king's favourite, from court. For this treasonous act Bothwell was forgiven, and when he was received into the king's presence, who was still under age, James VI. displayed his talent of discourse, but not his policy of government, when he addressed Bothwell in the following terms: "What should have moved thee, Francis, to come in arms against me? Did ever I do thee any wrong? or what cause hast thou to offend? I wish thee a more quiet spirit, and that thou mayest learn to live as a subject, otherwise thou wilt fall into trouble (*d*)." Bothwell, aided by Boyd and Home, made a treaty with England at Berwick in July 1586 (*e*). In 1588, Bothwell killed Sir William Stewart in a rencounter on the streets of Edinburgh.

(*a*) In 1566, the guardian of Francis Stewart, the commendator of Coldingham, *now in his fourth year*, exchanged the abbey of Coldingham for the abbey of Kelso, with John, the second son of Sir Richard Maitland of Lethington. Dougl. Peer., 394.

(*b*) In 1581, the parliament ratified those grants of the king to Francis, Earl of Bothwell. Unprinted Act of the 24th of October 1581.

(*c*) As Earl of Bothwell, when scarcely twenty years of age, he sat in the convention of Estates, which assembled on the 18th of October 1582, after the attempt on the king's person at Ruthven. Spottiswoode, 323.

(*d*) Spottiswoode, 341-3.

(*e*) Rym., xv., 806-13.

For such a murder this turbulent noble was never questioned (*f*). At the epoch of the Spanish invasion in 1588, Bothwell, in opposition to the king and parliament, raised troops to invade England in aid of Spain. But James VI., who was more studious of words on that occasion than things, ordered Bothwell, as great admiral, to look to the sea; and to take care that the shipping were ready for service (*g*). Elizabeth would have sent the greatest noble in her realm to *the tower*, who would have presumed to raise soldiers without her consent. In the subsequent year, Bothwell engaged with the Roman Catholic peers in the most dangerous enterprises against the king's person; and the turbulent Bothwell was found guilty, by an assize, and was sent to Tantallon castle, but not to the block (*h*). Yet, he was soon enlarged, to be employed with the Duke of Lennox in ruling the land during the king's absence in Denmark (*i*). Bothwell merits the praise of having discharged that trust without reproach. To satisfy the church, he even made a public confession of his manifold sins. Yet he soon relapsed into his profligacy again, and by his turbulence incurred the king's displeasure (*k*). He was convicted of consulting witches in order to obtain a foreknowledge of the king's death; and being for this imprisoned in Edinburgh castle, he thence made his escape by corrupting his keepers (*l*). In the subsequent December, Bothwell made a persevering attack on the king's residence at Holyroodhouse, but he was repulsed by the fidelity of the king's servants, who put to death several of Bothwell's followers (*d*). After this attempt, Bothwell retired into the north,

(*f*) On the 30th of July 1588, Sir William Stewart was slain in the Blackfriar Wynd by the Earl of Bothwell, saith Birrel, 24; Spottiswoode, 369. James, in his proclamation against Bothwell in April 1591, says that *he had committed divers slaughters which had been overlooked;* but the king did not advert that in making such an avowal he disparaged his own policy.

(*g*) Ib., 370. (*h*) Spottiswoode, 376-7. (*i*) Ib., 379; Birrel, 25.

(*k*) Spottiswoode, 381.

(*l*) Ib., 383-4. On the 22nd of June 1591, the Earl of Bothwell broke warde out of the castle of Edinburgh, who had been there in prison some twenty days for alledged witchcraft, and consulting witches, especially with one Richard Graham, to conspire the king's death. Birrel's Diary, 25. On the 15th of June 1591, he adds, Bothwell was forfeited, and proclamation made thereof at the cross of Edinburgh. Ib., 26.

(*m*) Bothwell, saith Birrel, killed the king's master stabler and one other servant, but the king's folks took eight of Bothwell's faction, and on the morrow hanged them all without an assize, betwixt the girth-cross and the abbey gate. Diary 26. On the 28th of December, the king came to St. Giles's kirk, and made an oration concerning *the fray* made by Bothwell, and the slaughter of his master stabler, William Shaw. Id. Birrel states the several attacks on the king's person by Bothwell without any suspicion that they were crimes.

where he was sheltered by the Earl of Murray, his cousin; and Huntly was now commissioned by the king to pursue Bothwell and his abettors *with fire and sword*, according to a precept of the Scottish law. Huntly in discharging this trust, executed his vengeance on Murray, his enemy (*n*). Bothwell continued to watch occasions to assault the king and to assassinate his minister. The parliament of May 1592 attainted Bothwell and his adherents, with the usual circumstances of forfeiture. The abbey of Coldingham was now transferred by the king from Bothwell to Lord Home; and Bothwell's lands of Spott in East-Lothian, were given to Sir George Home (*o*). Yet was not Bothwell discouraged. He made a fresh attack on the king at Falkland, which was hardly repulsed by the rising of the country, some of the king's servants taking part with Bothwell. This anarch now fled to the mountains for refuge (*p*). Denunciations were published against Bothwell and his abettors, and against all those who, having received the king's favour, had yet joined the traitor (*q*). Elizabeth interposed to protect Bothwell, whom she found a very useful disturber of the Scottish government; and as she wished to try how far the facility of James would carry him. But she experienced more resolution in him than she expected, and the Scottish king, in his turn, required that Bothwell should be expelled, while she resolved to retain the traitor (*r*); and in the result, the parliament of July 1593 seems to have forfeited Bothwell for a thousand crimes (*s*). Yet on the 24th of the same month, Bothwell, Colville, his secretary, and his other associates, broke into the king's apartments in Holyroodhouse, being betrayed by his domestics, and forced themselves into the king's presence. In vain did he cry out treason; he could only reproach Bothwell as a traitor,

(*n*) Birrel, 27; Spottiswoode, 387.

(*o*) Calderwood, 288. Birrel states the parliamentary forfeiture of Bothwell and his complices to have taken place on the 12th of July 1592. Diary, 27.

(*p*) Melville, 365-6; Spottiswoode, 389. Birrel, 27, states *this fray* at Falkland on the 17th of July 1592; the king thereafter came to Edinburgh, and on the 26th his majesty made an oration concerning the same [fray] in the great kirk of Edinburgh. Bothwell and his men immediately returned to Lothian from Fife, and eighteen of them were taken on Calder-moor lying asleep for want of rest and entertainment, and they were all brought to Edinburgh and hanged. Ib., 28. Here is a genuine specimen of the Scottish government during many an age. The *instruments* of mischief were *punished*, while the *contrivers* were *pardoned*.

(*q*) Ib., 28-9.

(*r*) Spottiswoode, 393-4-5.

(*s*) On the 21st of July, saith Birrel, 30. the parliament was holden, and the Earl of Bothwell forfaultid, and his arms riven at the cross of Edinburgh by the heralds.

and capitulate (*t*). In September, however, James called a convention at Stirling, to whom he communicated his capitulation with Bothwell, and the cause of it. The convention declared it null, and the capture of the king to be traitorous. This declaration was communicated to Bothwell, with an offer of pardon, if he would depart the kingdom. But, supported by Athol and Montrose, Bothwell insisted on the capitulation in its full extent, and attempted to seize the king during the convention. Being disappointed in this new treason, he was obliged to retreat to his old haunts upon the borders; being sure of Elizabeth's protection (*u*). A few weeks after the king repaired to Jedburgh, to which he summoned the people of the neighbouring shires, for pursuing Ker of Fernherst because he had harboured Bothwell (*x*).

In the beginning of the year 1594, Lord Zouch came ambassador from Elizabeth to James for the avowed purpose of urging the Scottish king to prosecute his popish nobles. Zouch immediately began to intrigue with Bothwell for the insidious purpose of inciting him to insurrection. We may infer that truth from the circumstance that Bothwell began at that moment to raise disturbances among a misguided people. Some of the clergy, by public preaching and private admonition, encouraged the people to join that odious anarch from their hatred of popery (*y*). They even sent Hunter, one of their number, to act as Bothwell's chaplain. The clergy, in their zeal, went one step further. The money which had been collected in the churches for the suffering Genevins, they gave to Melvil and Strong, two captains who were

(*t*) Spottiswoode, 395; Birrel, 30-1; and upon the 27th of July, Bothwell's peace was proclaimed at the cross of Edinburgh, by the heralds sounding their trumpets for joy, saith Birrel. From this last circumstance we ought to infer that the wretched traitor was popular, or the king contemptible.

(*u*) Spottiswoode, 395-6-7. On the 20th of September 1593, Bothwell was charged, saith Birrel, 31, by a proclamation at the cross, that he should not come within ten miles of the king's residence, under the pain of death.

(*x*) Calderwood, 291. On the 11th of December 1593, Bothwell was put to the horn, and on the same day fought with Ker of Cessford. Birrel, 31. On the 31st of December 1593, proclamation was made that no one should entertain either the Earl of Bothwell or the Laird of Johnston, who had slain Lord Maxwell. Ib., 32.

(*y*) On the 13th of March 1593-4, the king came to Mr. Bruce's preaching, saith Birrel, 32, being Sunday, when Mr. Robert Bruce [one of the ministers of Edinburgh] said to his majesty, that God would stir up more Bothwell's than one, that were more enemies to him than Bothwell, if he revenged not his, and fought not God's quarrel on the papists, before he fought and revenged his own particular [quarrel.]

then levying soldiers to support Bothwell's insurrection (*z*). With all those insurgents Elizabeth's ambassadors intrigued, and being detected, he was obliged to withdraw without seeing the king (*a*). Bothwell, having raised four hundred horsemen on the borders towards England, advanced northward to Leith on the morning of the 2nd of April 1592. On the morrow the king went to the great church, and, after sermon, he promised, in the presence of the people, to revenge God's cause and to banish the papists; and thereafter urged the people to march with him against Bothwell, who then occupied Leith. The whole people were thus induced to take arms for the king against that notorious insurgent (*b*). Bothwell now drew off southward, seeing so great a force with some cannon coming against him. Lord Home followed him, but he was repulsed towards the burgh-moor of Edinburgh where the king lay with his forces. On the retreat of Home, James was insidiously advised to retire into the town. The king, with more magnanimity than he has been supposed to possess, declared "that *he would never quit the field to a traitor,*" and this firmness proved his safety; for Bothwell, in pursuing Home, fell from his horse, and his army dispersed on the morrow. The colleagues of Bothwell in his nefarious designs, hearing of his misfortunes, also disbanded (*c*). After all those exploits, James was emboldened to send an envoy to Elizabeth for complaining of her ambassador's intrigues; of her allowing protection to Bothwell, contrary to treaty and her promises. She seems to have somewhat yielded to his boldness, and after some excuses, she directed by proclamation that Bothwell should neither be harboured nor aided (*d*). Driven thus from England, that enterprising traitor retired into the northern parts of Scotland, where he entered into new compacts with the popish lords. On receiving some of the Spanish gold, he engaged to raise such disturbances in the south as should prevent the king from marching northward against the Spanish partizans; and he promised, if he should apprehend James, that he would confine him in Blackness castle, whose captain he had corrupted, till he should agree to all their terms. But Orme, a servant

(*z*) Spottiswoode, 402, is positive on this charge against the clergy. The late historiographer supposes that the king suspected them *without reason.* Rob. Hist. Scot., ii., 66.

(*a*) One of the ambassador's servants being questioned, confessed that the ambassador had spoken with Bothwell, and Colville, his secretary. Spottiswoode, 402-3.

(*b*) Birrel, 32.

(*c*) Spottiswoode, 403. On the 5th of April 1594, the king rode out with the hope of taking Bothwell, but he had fled into his fastnesses. Birrel, 32.

(*d*) Spottiswoode, 404.

of Bothwell, being apprehended, disclosed their whole designs (*e*). As he was no longer protected by Elizabeth, as his adherents had been punished for examples, the wretched Bothwell was obliged to skulk among the wilds of the north, since his influence in the southern districts was gone (*f*). His followers now sued for pardon, which was granted them with a lavish hand. Among other partizans, John Colville, his secretary, by betraying his associates in treason, obtained a remission of his crimes, and he now enlisted among the spies of Elizabeth in the court of James (*g*). Colville betrayed Hercules Stewart, the bastard brother of Bothwell probably, who was seized at the West-Houses near Newbotle, on the 4th of February 1594-5 (*h*), and he was offered as a proper sacrifice to the offended laws (*i*). On the 23rd of February, Bothwell was excommunicated by the church judicatories, after much struggle with the presbytery of Edinburgh (*k*). Bothwell was no longer safe in Scotland. He now fled to Orkney, where the people attempted to arrest him, and pursued his flight to Shetland on his course to France (*l*). After some hesitation, the French government obliged Bothwell to retire to Spain during the year 1600, whence he departed to Naples, where he changed his religion, and long continued his profligacy (*m*). After the forfeiture of

(*e*) On the 17th of September 1594, Allan Orme was hanged for *entertaining Bothwell.* Birrel's Diary, 33. On the 24th of the same month Gibson and Cochrane were hanged for the same offence. Id. On the 15th of October, the captain of Blackness was hanged for receiving Bothwell. Id. Spottiswoode. 408.

(*f*) A proclamation was issued on the 4th of December 1594, "charging all men not to have to do with the Earl of Bothwell." Birrel, 34. But it was the frequent execution of Bothwell's adherents and the daily examples which were made of them, that finally subdued so dangerous an anarch.

(*g*) Nicholson's Dispatches in the Paper Office are the vouchers of his villainy. (*h*) Id.

(*i*) On the 18th of February, Hercules Stewart was hanged, and one John Syme, for entertaining his own brother, the Earl of Bothwell. Birrel. 34. This honest chronicler seems to have thought it very unnatural to hang a man for *entertaining* his own brother, traitor as he was.

(*k*) Id.; Nicholson's Dispatches in the Paper Office.

(*l*) Nicholson's Dispatch of the 10th of April 1595. The king wished Colville to follow his old master into France, for soliciting his detention and delivery; but Elizabeth's government, feeling the benefit of his services as a spy, advised him to decline such a journey. Nicholson's Dispatch of the 30th of May 1595.

(*m*) Winwood's Mem., i., 165. Bothwell left three sons and three daughters by the Lady Margaret, the daughter of David, Earl of Angus. The parliament of November 1600, passed an act [No. 12] "Anent the posterity of Francis, sometime Earl of Bothwell." The parliament of August 1621, passed an act in favour of John Stewart, the second son of the Earl of Bothwell. Unprinted Act, No. 36. There was an act giving Coldingham to the same John Stewart. Ib., 37.

Bothwell, Sir William Seton, the fourth son of George, Lord Seton, was made *sheriff of Lothian*, and warden of the marches (*n*). The office of great admiral of Scotland was conferred on the Duke of Lennox, *in heritage* (*o*). From all those intimations, we may infer how impossible it was to cure James VI. of his folly of favouritism.

At the epoch of James's accession in 1603, there existed in East-Lothian only five peers: Robert, Earl of Winton; George, Earl Marischal; Robert, Lord Lindsay of Byres; John, Lord Saltoun; and John, Lord Yester. Before his demise in 1525, he added four creations in this shire to the former peers (*p*). Charles I., amidst his endeavours to prevent civil war during fanatical times, created only three peerages in Haddingtonshire (*q*); and Charles II. created the last of the peers of East-Lothian, in the person of Sir Richard Graham of Netherby, in 1681, by the title of Viscount Preston, which was forfeited by his misconduct in 1690.

In addition to all those men who rose to eminence from various causes, East-Lothian has produced its full share of distinguished characters. John Laing, a son of Laing of Redhouse, in Aberlady parish, rose from the rectory of Tannadice, and the vicarage of Linlithgow, to the bishopric of Glasgow, and the chancellorship of Scotland (*r*). The house of Hailes has bred considerable churchmen (*s*). James Hepburn, the son of Thomas, the parson of Old-

There were divers protestations against the said act in favour of John Stewart. Ib., No. 38. The eldest son Francis, obtained from the facility of James VI., a part of the estates of his father, but none of his many offices.

(*n*) Mackenzie's Lives, iii., 217, from the MS. Account of the Family of Seton.

(*o*) The parliament of October 1612, ratified that grant to the Duke of Lennox for the office of admiral, and the privileges to the same belonging. Unprinted Act, No. 12. Upon the failure of this family, during the reign of Charles II., this high office merged in the crown.

(*p*) Sir George Home was created Lord Home of Berwick and Earl of Dunbar; Sir John Ramsay was made Viscount of Haddington in 1606, which became extinct in 1625; Sir Thomas Hamilton was created Lord Binning and Byres in 1613, Earl of Melrose in 1619, Earl of Haddington in 1627; and Sir Henry Constable was made Viscount of Dunbar in 1620, which became extinct at the end of a century.

(*q*) Sir Robert Douglas was made Viscount of Belhaven in 1633, which became extinct in 1639; Sir James Maxwell was created Earl of Dirleton, which soon became extinct, and Sir John Hamilton was made Lord Belhaven in 1647.

(*r*) He was treasurer in 1465 and 1470. He was made bishop of Glasgow in 1473, and chancellor in 1482, and he died on the 2nd of January 1482-3.

(*s*) Patrick Hepburn, the second son of Patrick, the first Lord Hailes, was dean of Dunkeld and treasurer of Moray. George Hepburn, the third son of Adam, Lord Hailes, rose through the

hamstocks, who acquired the sobriquet of *Bonaventura*, from his travels, distinguished himself as a philologist by acquiring every language, and publishing a Hebrew dictionary in 1591. He was born in 1573, and died in 1621. Robert Wauchop, who was bred at Nidderie-Marshal, rose by singular talents to be titular archbishop of Armagh, and died in 1551. George Wauchop, of the same house, flourished abroad during the same age, as a professor of the civil law. John Major or *Mayr*, was born at Haddington in 1469; rose by his learning to be dean of the faculty in the university of St. Andrews, and was at length *deemed an oracle in religion* under James V. (*t*). At Haddington also, was born, in 1505, John Knox, a divine who eclipsed the Majors, the Hepburns, and the Wauchops, not so much by his learning as his notoriety, and who died at Edinburgh after a life of turbulence, in 1572 (*u*). Patrick Scougal, a son of Sir John Scougal of Scougal, in this shire, and parson of Salton, was preferred to the see of Aberdeen at Easter 1664. He was an eminent prelate, and died in February 1682, aged 73, esteemed for his learning and regretted for his worth.

East-Lothian has not only given deep divines to the Scotican church, but learned senators to the College of Justice. Among the first was Adam Otterburn of Aldhame, who acted as the king's advocate from 1525 to 1537, and was justly praised by Doctor Magnus, the English resident, "as one of the most learned and experienced men in Scotland." He was raised to the bench in 1532, and died in 1547. In 1532 was also appointed one of

usual gradations to be commendator of Arbroath and bishop of the Isles, and fell with his father on Floddon-field. His brother John became prior of St. Andrews, and keeper of the Privy Seal, and collector of the king's rents in Fife. He had the honour to contend with Andrew Foreman for the archbishopric of St. Andrews, and yielding his pretensions, he obtained for his brother James the abbey of Dunfermline, who became bishop of Moray in 1514. The prior dying in 1522, was succeeded by his nephew. Patrick, whom he had educated.

(*t*) He appeared by proxy in the provincial council of 1549, being then old [80] and debilitated, and he must have died soon after. He wrote "Historia tam Angliæ quam Scotiæ," which was published in 1521, and republished in 1740, yet is of very little use. He left behind him a vast body of published theology.

(*u*) The late Lord Hailes, in his Scottish Canons, apologized for speaking of a history which is attributed to Knox as *partial* and *erroneous*. This history of the *Reformation*, as it was suppressed by Elizabeth. remains only in some sheets. Heylyn's Hist., 141. In that book it was that the assassination of Cardinal Beaton was called a *godly act*. The next edition was published amidst the violences of 1644 by David Buchanan, who has interpolated every page of a castrated work. Now, what sober historian would believe a single passage in a writing so fabricated, though it is said to be *published by authority*. But who could give authority to a fabrication.

those senators, Thomas Hay, the dean of Dunbar; and in 1532 was nominated George Ker, the provost of Dunglass. Robert Galbreath, the parson of Spott, was appointed a senator in 1537, and was assassinated in 1543 (*x*). In 1539, was raised to that trust Henry Lauder of St. Germains, who had been the King's Advocate, and was by the king's desire admitted to sit within the bar to hear the deliberations of the court. In 1554, was nominated as a senator, Abraham Crichton, the provost of Dunglass. In 1561, was appointed the worthy Sir Richard Maitland of Lethington, who served the state during seventy years, and died at the age of ninety in 1586 (*y*). David Borthwick of Lochill was placed on the bench in 1573, William Douglas of Whittinghame in 1575, and Archibald Douglas, the younger of Whittinghame, in 1578 (*z*). In 1591, was raised to the same rank Richard Cockburn of Clerkington, and in 1592, Sir John Cockburn of Ormiston. In the subsequent period ending with *the Restoration*, the College of Justice was supplied with the following senators from Haddingtonshire: Sir Andrew Hamilton of Redhouse, in 1608, Sir Alexander Hay of Newton, in 1610, Alexander Morison of Prestongrange, in 1626, Sir John Hay of Barra, in 1634, and Sir Adam Hepburn of Humbie, about the year 1643. As the subsequent period of fifty years produced profound lawyers at the Scottish bar, this shire contributed its ample share of eminent senators for the College of Justice. In 1661, John Scougal of Whitekirk was raised to this distinction (*a*). Sir John Nisbet of Dirleton was appointed one of those Senators in 1664 (*b*). In this year Sir John Baird of Newbyth was

(*x*) Books of Sederunt, 13th February 1543; Parl. Rec., 675. He appears to have advocated the cause of the dowager queen and her husband, Lord Methven, in 1538, after he had taken his seat as a senator.

(*y*) He told queen Mary "that she must see her laws kept, or else she would get no obedience." This was well said, but it was said in vain to a female sovereign during a revolutionary age. He left Decisions of the Court of Session, and Poems on several subjects. His son, William Maitland, the celebrated secretary, was appointed an extra senator in 1565, and died in 1573.

(*z*) He was parson of Glasgow and sold his manse. But it is more important to show that he was an active instrument in the murder of Darnley. It was at Whittinghame where Bothwell met the Earl of Morton on his return from banishment, and where that terrible murder was matured if not concerted. It was the same Archibald Douglas whom Bothwell employed to intrigue with Earl Morton at St. Andrews, for effectuating their odious purpose. He was degraded from the seat of justice in 1581, and tried collusively for that crime in 1586. Arnot's Crim. Trials, 7.

(*a*) When he died in 1671, the lords of session assisted at his funeral, attended by the lawyers in their gowns, and their officers with their maces.

(*b*) He was at the same time appointed the king's advocate, and he was the last who at once held both those trusts. He died in 1677. He was a lawyer of the greatest learning and integrity. He left *Doubts* and *Decisions*, which were published in 1698.

raised to the senate, who also left *Decisions* of the court. Sir Peter Wedderburn of Gosford was made one of those senators in 1668, and collected decisions during his own period (*c*). Sir John Baird was raised to the same rank in 1689. In the same year Sir John Lauder of Fountainhall was made a judge of this court, and left two volumes of juridical anecdotes and of learned decisions. Robert Hamilton of Presminnan was raised to the bench in 1689, and Sir William Hamilton in 1693. Sir Hew Dalrymple of North-Berwick was appointed in 1698, Lord President of the Court of Session, a trust which he executed with great sufficiency till 1737; and Adam Cockburn of Ormiston was raised to the bench in 1705, and acted as Lord Justice Clerk from 1707 to 1735. John Hamilton of Pencaithland was appointed a judge in 1712, Andrew Fletcher of Milton, in 1724, and Hew Dalrymple of Drummore, in 1726, who sat on the same seat with his father, the president. In 1751, George Sinclair of Woodhall was nominated a senator of this court, in 1754, Thomas Hay of Huntington was named to the same trust; Peter Wedderburn of Chesterhall was also appointed in 1755, and George Brown of Coalston in 1756. Robert Blair, the son of Robert Blair, the celebrated author of the *Grave*, a poem, was born in Athelstaneford, of which his father was minister; and rising through the gradations of the law to be solicitor-general and dean of the faculty, became president of the College of Justice in 1808 (*d*). After this long list of eminent lawyers may fitly be mentioned Alexander Wedderburn, Earl of Rosslyn, the son of Lord Chesterhall, and a descendant of the house of Gosford, who rose to be chief justice and chancellor of England, in competition with jurists of the greatest learning, eloquence, and integrity.

East-Lothian, as we have already seen, has produced its full portion of statesmen as well as lawyers and divines. Sir Richard Maitland served the state upwards of seventy years, and died in 1586, when he was aged and blind. Knox accuses him of taking a bribe from Cardinal Beaton to obtain his liberty. But the oath of so prejudiced an accuser as Knox, ought to weigh nothing against the worth of old Sir Richard Maitland. He left a poem of sound advice to his eldest son, William, the well-known secretary of Mary Stewart. Happy! had such a son followed the example and precepts of such a sire. The secretary was denominated, by the calumny of Knox, *the father of all*

(*c*) He had been sole clerk of the privy council. He was elected in 1679 as vice-president of the court. Sir George Mackenzie gave him a great character for eloquence and integrity as a lawyer.

(*d*) Stat. Acco., x.. 171.

mischief. It was he, indeed, who corruptly advised his mistress to divorce Darnley. It was he, certainly, who advised the murder of Rizzio, to obtain the restoration of Murray. It was he, probably, who incited Bothwell, by inflaming his ambition, to assassinate Darnley, and plainly concealed the plot which was consummated by Darnley's death. He was convicted afterward of that terrible crime, and took poison in 1573 to prevent public execution. There is but too much reason to believe that he was the fabricator of the infamous letters which faction attributed to Mary Stewart, as he had often forged her writing, and was capable of any baseness. His second brother, John, who rose by his talents and integrity to be chancellor under James VI., amply supplied the secretary's demerits. Of this family was John, Duke of Lauderdale, the profligate and domineering minister of Charles II. in Scotland. Among the Cockburns of Ormiston were statesmen of very useful talents. Among the Fletchers of Saltoun there have been eminent men. This family was originally burgesses of Dundee, and their real name was *Flesher* (*e*). Of this family was the well-known republican, Andrew Fletcher, the son of Sir Robert, by Bruce of Clackmannan. He was born in 1653; he opposed the corrupt ministers of Charles II.; he drew his inefficient sword for Monmouth; he supported *the Revolution;* he opposed the more useful measure of *the Union*; and he died at London on the 16th of September 1716 (*f*). It is but indifferent praise to say of the late Andrew Fletcher, Lord Milton, the nephew of the former, that he was equal to his uncle in patriotism. He was born in 1692, and choosing the law for his profession, he became one of the senators of the College of Justice in 1724, by the title of Lord Milton; and Lord Justice Clerk, in 1735, which he resigned when he was appointed for life the keeper of the Signet in 1748. During difficult times, he was intrusted with the political affairs of Scotland, which he managed with address and moderation. He died in 1766, leaving a great character for abilities, discretion, and constant attention to the domestic economy of his rising country (*g*).

(*e*) In 1479, Nicol *Flescheour*, burgess of Dundee, brought a suit before the parliament. Parl. Rec., 264. Andrew Flesher, the Dean of Guild, had by a mean woman of the name of Finlayson, Andrew, who rose to eminence as a lawyer, and became a senator of the College of Justice in December 1623, by the title of Lord Inverpeffer. It was he who purchased Saltoun. He was the father, by Hay of Kirkland, of Sir Robert Fletcher, who as Lord Advocate prosecuted Argyll after the Restoration, and died in 1667. Such are the intimations of Crawfurd, from the antiquary Henry Maule. MS. Notes.

(*f*) His. Reg., 543. He left a small volume of republican speculations. The support which he gave to the improvement of agriculture is of much more value.

(*g*) Scots Mag., 671. There is a letter of his to the Duke of Newcastle, dated the 21st of January

Of very different worth to the state than such a man as the republican Fletcher, are mere mechanists. James Meikle, a millwright near Saltoun, introduced from Holland, in 1710, the *fanners* and barley mill, under the protection of the same Fletcher (*h*). In our own times the parish of Prestonkirk, in this shire, has produced John Rennie, one of the greatest *civil engineers* of any age. The parish of Gladsmuir in this county, gave birth to George Heriot, of the family of Trebroun, who was bred a goldsmith, and by a life of honest and ingenious industry under James VI., left a sufficient fortune to endow the useful hospital which is known by his name at Edinburgh (*i*).

§ VII. *Of its Agriculture, Manufacture, and Trade.*] The successive settlers of East-Lothian, British, Saxon, Scoto-Irish, and Scoto-Saxon, found the country little improved at the epoch of their several settlements. It was not much ameliorated, while the land was fought for, in endless conflicts, by such dissimilar people.

During every consideration of this interesting subject, we must always recollect that the area of East-Lothian is by nature divided into its *lowlands*, towards the sea, and its *highlands*, consisting of the *Lammermuir* above. It is curious to remark from the maps, what has not been noticed by writers, that in the laying out of many of its parishes, they are so distributed as to have each its portion of the *Lammermuir*, for a necessary adjunct to its agricultural practice of summer pasturage (*k*). In the *lowlands* of East-Lothian, it does not appear that woods anciently existed; since they cannot be traced, in its topography,

1748, in the Paper Office, complaining that "when he was appointed the keeper of the signet, he was assured of having from £5 to £600 over and above paying £800 to the clerks of the two secretary of states offices, but that the fees amounted only from £2 to £300," and to make up the difference, he asked the place of register of Hornings for his son Francis, in the room of Douglas of Cavers.

(*h*) See his agreement with Meikle for that end, and his letter to James Meikle, dated at the Hague the 18th of June 1710, on the same subject. Somerville's General View of the Agriculture of this Shire, App., 294-6. These documents clearly establish the important fact which does such great honour to the real patriotism of Fletcher. James Meikle left a son, who invented the *threshing* mill, and lived to a great age much respected.

(*i*) He died in 1624, at London, to which he had followed his master James VI. The building of his hospital was finished in 1650, and in April 1659, there were admitted into it thirty boys, the sons of indigent burgesses of Edinburgh. Stat. Acco., vii., 320; Arnot's Hist. Edin., 565

(*k*) The language of the maps evinces that every parish had its *schealings*. In Oldham parish there are Lucky-*shiel*, Powel-*shiel*; in Innerwick, Auld*shiel*; in Stenton, Gamel*shiel*, Airnle-*shiel*; in Whittinghame, Pen*shiel*, May-*shiel*; and the adjunct *shiel* denotes the *schealing* or pasturage.

nor recollected from charters (*l*). But the higher country towards the *Lammermuir* seems to have been abundantly clothed with woods and ornamented by shrubberies. The topography of this upper district would evince the fact if the chartularies were silent (*m*). During the reign of Malcolm IV., Simon Fraser granted to the monks of Kelso the church of Keith, with the *whole wood*, from the southern side of the rivulet which runs near the church (*n*). In the reign of William the Lion, there was much wood in the parish of Innerwick, and indeed throughout the southern parts of East-Lothian (*o*).

When the Scoto-Saxon period began with the feeble reign of Edgar, there are many reasons to believe that East-Lothian was not very populous. We know from the charters of David I., of Malcolm IV., and of William the Lion, that large districts were held by a few barons, as we have indeed lately seen. The lower orders were chiefly *their men*, or *vileyns*. The wars of Malcolm Canmore had filled the villages of this country with such men (*p*). They remained in this servile state within East-Lothian throughout many a wretched age (*q*), and those *villeyns* were astricted to the lands, and with the glebe could only be transferred (*r*).

(*l*) In the country, on the coast below from Dunbar to Prestonpans, there does not appear the name of a place, which can be derived from woods or bushes. The extensive woods of Tyninghame are of modern creation, as are the smaller plantations on the estate of North Berwick.

(*m*) In that district, there are the following places which derived their names from the surrounding forests. In the parish of Oldhamstocks there are *Wood*hall and *Oaken*-gill [the oak-ravine :] in Innerwick, Braid*wood*, *Wood*hall, and *Wood*ley ; in Stenton parish, *Pres*-minnan-*wood* ; in Dunbar, Cracking-*shaw* ; in Spott, Hain-*shaw* (and it must be recollected that *shaw* in the A.-Saxon, signifies both in the south and north a *wood*) ; in the parish of Humbie and Keith, Humbie*wood* and Keith-*wood* ; in Sontra, *Wood*cot ; in Yester, Broad-*wood* side, *Wood*head, Pyot-*shaw*, *Eck*yside (the oakwoodside) ; in Saltoun, Salton*wood*, *Wood*head, *Wood*-gate ; in Morham, *Wood*head ; in Whittinghame, Hartram-*wood* ; in Ormiston, *Wood*head, *Wood*house ; in Pencaithland, *Wood*-hall ; in Haddington, woodside, *forest*. Now, *Pres* in the British and Gaelic, means a copsewood ; and *shaw* in the Saxon and Old English means pretty much the same thing. In 1276 there were *woods* mentioned as then lying in Pencaithland and Ormiston. Sir Ja. Dalrymple's Col., 353.

(*n*) Chart. Kelso, 84.

(*o*) See the Chart. Kelso, Paisley, and others.

(*p*) Hoveden, fol. 452.

(*q*) There is a charter of William the Lion to the hospital of Soltre, confirming to it, "Omnes donationes terrarum, et *hominum*, que eis rationabiliter date sunt." Chart. Soltre, 6. There is a mandate of Alexander III. "ne quis *homines* de Soltre injuste detinuit." No. 9. There remains a charter of James, the Stewart, whereby he conveyed in 1284 to William de Preston, "totam terram nostram, in villa de Travyrnent, cum *nativis* et eorum sequela." Autograph in my Library.

(*r*) Morville, the constable who died in 1189, the minister of William the Lion granted to

The king, and the nobles, and the churchmen, were all agriculturists in East-Lothian as well as in the shires of Berwick and Roxburgh. Every manor in those ages had its *place*, its church, its mill, its kiln, and its brew-house, for the accommodation of its tenants; and the followers of the lord sat down around him, having each a house, a croft, some arable land, a meadow, with a right of commonage on the waste of the lord (*s*). The monks were great and skilful cultivators of old. The monks of Newbotle possessed several granges and some mills in various parts of East-Lothian. The monks of Kelso had their granges and mills, and other such property, in Keith, Humbie,

Henry de Saint Clair, the lands of Herd-mans-toun with two *bondmen*, Edmond, the son of Bonde, and Gillemichael his brother, with their progeny, on this express condition that they should not be removed from Herdmanstoun or the lands of Morville. Diplom. Scotiæ, pl. 75.

(*s*) Alan, the son of Walter the Stewart, confirmed by a charter a *lease*, by *his men* of Innerwick, to the monks of Kelso *for* 33 *years*, from Martinmas 1290, of certain *woods* and *pastures* in Innerwick, for which the monks were to pay yearly twenty shillings, and they were to be free from all services and "de inward et de utward." Chart. Kelso, 247. In a suit depending in parliament during December 1494, about the barony and mill of Bolton, Patrick, Earl of Bothwell, claimed them under a *lease* by the late James Shaw of Sauchie. Parl. Rec., 146.

(*t*) Chart. Newbotle. Robert de Quincey granted to the monks of Newbotle, about the year 1184, the lands of *Preston*, where they settled an agricultural establishment, which was afterward called *Preston-grange*, with common of pasture in the manor of Tranent, for 10 sheep and for *oxen sufficient to cultivate their grange*. He also gave them six acres of meadow in his manor of Tranent, and twenty cart loads of *peats* from the *peatary* of his lordship, with the liberty of taking wood *for fuel*, for the use of their grange, where the *men* of *his manor* could take the same. Chart. Newbotle, 71. His son, Seyer de Quincey, confirmed to the monks all those several privileges. In all those charters of the de Quinceys, we may perceive *the fuel* mentioned were *petas* and *wood*, but not *coals;* yet this useful fossil was soon after discovered by those monks, within their lands of Preston. Seyer de Quincey, the son of Robert, granted to those monks a confirmation of their lands of Preston, bounded by the rivulet of Pinkie in his manor of Tranent, and also "*Carbonarium* et quarrarium" within the said lands: and he gave them *free access* and *recess* to and from the same *by the sea;* and he commanded that none of his men should have any common right in the *carbonaries* or *quarries* in Preston, without the consent and goodwill of the monks. This instructive charter of Seyer de Quincey, the Earl of Winton, must necessarily have been granted between the years 1202 and 1218, as it is witnessed by William, who became bishop of St. Andrews in 1202, and it was granted by Seyer de Quincey, who set out for the Holy Land in 1218, where he died in the subsequent year. Thus early then were *coals* worked and used at Preston, in East Lothian, and were even exported thence to other countries, and from that epoch coals have been continually worked in Tranent, down to our own times. Sir William Seton, who lived under Robert II. and Robert III., granted to the friars of Haddington *six loads of coals* weekly, from his colliery of Tranent. MS. Hist. of the Seton family. The *collieries* of Tranent were mortgaged about the year 1407. Roberts, Index, 163. There are many collieries worked at present to great profit in Tranent. Stat. Acco., x., 88: xvii., 81. The same book shows that coals are everywhere worked in East Lothian.

and Innerwick (*u*). The master of Soltre also cultivated his lands in Soltre, and Keith (*x*). The prioress and nuns of Haddington had also, their agricultural establishments, when such were the fashion of the age. They had, besides their domestic farm, a grange at *Abbey Mains* in Haddington parish; they had a grange and a mill, which is still called the *Abbey Mill*, and which is situated about a mile below Haddington-town; and they also cultivated the lands of *Nun*-raw and other domains in Garvald. There were undoubtedly many lands cultivated, under all those proprietors, by tenants and subtenants, for certain rents and services, as we may distinctly see, in the chartularies. The English soldiers are said to have subsisted, during the siege of Dirlton castle, in 1298, on the pease, which grew in the neighbouring fields (*y*). But the number of mills which existed everywhere in East-Lothian during the Scoto-Saxon period, is the best proof of the excellent husbandry of that extended period. Much corn was raised; as we may infer from the great quantity that was ground at the mills. Yet though much corn was raised by all those persons and means, pasturage was much followed, during the summer, by all those who had an easy communication with *the Lammermuir* (*z*). Hay was also raised abundantly during the 13th century, when it was thus early subjected to tithes (*a*). During those agricultural times, oxen, full as much as horses, were used for the wain and plough. Mills appear to have been very common in every part of East-Lothian during the 13th and the 14th centuries. Mills are as ancient here as manors; and manors are as early as charters, which cannot be traced beyond the beginning of the Scoto-Saxon period, when the municipal law of Scotland itself commenced. Thus, all the juridical doctrines which belong to mills were interwoven into the very texture of the law itself during that early age (*b*). We have now learned, from the chartularies, that

(*u*) Chart. Kelso. (*x*) Chart. Soltre, 142.

(*y*) Lord Hailes' An., i., 310, from W. Hemingford.

(*z*) We have seen already the Earl of Dunbar's men of Pinkerton in the country below, had their *shealings* or pasturages in that vast range above. Chart. Kelso, 71. Other men followed the same practice wherever they had similar moors to which they could drive their flocks and herds.

(*a*) The taxatio of the vicarage of Haddington by William, the bishop of St. Andrews, from 1202 to 1233. Chart. Antiq. Bibl. Harl.

(*b*) Every manor had its mill, but some large manors had several mills belonging to them. The tenants of all those manors were obliged to grind the corn which was grown on the manor, at the mill of the manor; and they were, moreover, obliged to contribute their services in upholding the mills with their dams. In Malcolm IV.'s reign, Symon Fraser granted to the monks of Kelso, with the church of Keith and some lands, with an exemption to them and their men, from the *toll*

it was the lords of the manors who alone could erect mills, and could convey the same right to others; and the mills of those times were objects of considerable profit to the proprietor (*c*). Some of those mills, however, which were erected by smaller proprietors, without the privileges of the manorial mills, seem not to have been very profitable (*d*).

It will scarcely be believed that gardens and orchards, abounded in East-Lothian during the 13th and 12th centuries (*e*). The gardens and orchards, which were not of small extent, were early subjected to *tithes* (*f*). In 1359,

of his mill, and *the service of repairing the mill* and *the milldam*. About the year 1184, Robert de Quincey granted to the monks of Newbotle, Preston, in his manor of Tranent with exemptions from customs, exactions, and services, viz., "a placitis, a *molendinis*, a forisfactis, et auxilijs." Chart. Newbot., 71. The monks of Newbotle obtained from the Countess Ada, the lands of Berefords in Haddington parish, where they settled a grange, and *acquired the privilege of erecting a mill*; and from the neighbouring proprietors of Morham and Hailes, the monks obtained the liberty of making *milldams* and *water-courses*. Chart. Newbot., 95-6-7-103. At the end of the 13th century, Sir Robert de Keith, the marshal of Scotland, granted to the monks of Kelso liberty to build a mill on the lands of Hundeby [Humbie] and Keith; and he also gave them a right for their *work*, *oxen*, ploughs, and carts, to pass and repass over his lands. Chart. Kelso, 99.

(*c*) Robert, who was bishop of St. Andrews from 1163 to 1173, granted to the convent of Haddington, the *tenths* of the mills of Haddington, and his grant was confirmed by his successors and by James II. Sir L. Stewart's Col., 48. One of the mills of Haddington belonged to the Vanses of Dirlton; and in the reign of Alexander II., William de Vallibus granted to the monks of Arbroath, half a mark of silver yearly, from his mill of Haddington, and this grant was confirmed by his son. Chart. Aberb., 151-2. In 1276 Sir Alexander de Vallibus confirmed a grant of his father to the church of Glasgow, of five marks yearly, out of his mill of Haddington, instead of the manor of Gullane; and if the mill should be destroyed or removed, he granted that the same five marks should be paid from the firms of his manor of Dirlton. Chart. Glasg., 413. Edward, the son of Gospatrick, the Earl of Dunbar, who died in 1166, granted to the monks of May a chalder of meal yearly, from the toll of his mill of Bolton. Chart. May, 27. Walter, the first Stewart, granted to his monks of Paisley five marks of silver yearly, from his mill of Innerwick. Chart. Paisley, 8.

(*d*) In 1493, a suit was moved in parliament by David Lauder of Popil, against several persons for casting down the mill dam of Popil nine years before. The lords found that those persons had done wrong, and ordained them to rebuild the mill dam, and to pay the complainant three pounds yearly, for nine years past, in lieu of the profits of his mill of Popil. Parl. Rec., 376.

(*e*) Walter, the first Stewart, granted to the monks of Paisley some lands in exchange for their lands of Innerwick, excepting the messuage near the cemetery, with the *garden* and other easements. Chart. Paisley, 48. Richard Moiville, the constable, who died in 1189, mentions in his charter to Henry Sinclair, an *orchard* on the lands of Herdmanston. Dip. Scotiæ, pl., 75.

(*f*) A *taxatio* of the vicarage of Haddington, which was made by the authority of William, who governed St. Andrews from 1202 to 1333, mentions "omnibus *decimis*, cartilagiorum, et *Pomeriorum* infra burgum." Chart. Antiq. Bibl. Harl., 60. A charter of the same bishop, William,

William Landels, the bishop of St. Andrews, confirmed to the nuns of Haddington a toft and a *garden* with eleven acres of land in Popil which had been granted to them by Patrick, the son of Roger of Popil (*g*). Such then was the prosperous state of the husbandry of Haddingtonshire at the demise of Alexander III., when the descent of the crown was disputed and wasteful wars were the result, involving East-Lothian by their long endurance in their ruinous consequences. In 1336 this county was involved in warfare and its agriculture impeded by a very different cause. Alan of Wyntoun carried away by violence one of the daughters of Seton, and this outrage raised such discord in Lothian as in one year to suspend the labour of a hundred ploughs (*h*).

Whatever efforts were made during the reigns of the Bruces and Stewarts to regain the agriculture of the past or to promote the husbandry of the future, *the Union* will be found the real epoch of the resuscitation of georgical improvements in East-Lothian. At that epoch Lord Belhaven gave to *the farmers his advice*, but Lord Haddington showed the country gentlemen his example (*i*).

in consequence of that *taxatio*, speaks of the "decimæ *hortorum*, infra burgum." Trans. Antiq. Soc. Edin., 114. Those documents show that during the reign of William the Lion, the burgesses of Haddington had *gardens* and orchards annexed to their messuages. A composition which was made in 1245, between the prior of St. Andrews and the monks of Haddington, mentions "duarum bovatarum terræ contentarum, in *vetere gardino* de Stephenston." Ib., 119. This intimation shows the extent of such *old* gardens.

(*g*) Ib., 110. (*h*) Fordun, l. xiii., c. 51.

(*i*) If we may believe, however, the Statistical Account of Tyninghame, xvii., 576, it was Lady Haddington, Helen, the sister of Charles. the first Earl of Hopetoun, who discovered that trees would grow if they were planted on that shore, and that Thomas, the sixth Earl of Haddington, entered "keenly into her plans of plantation." Lord Haddington, in his Treatise on the raising of forest trees, allows the Lady Helen, his wife, all the merit that is claimed for her; but his lordship, who was a *poet* as well as a *planter*, ought to be allowed to tell his own story his own way: "When I "came to live in this place [Tyningham], there were not above fourteen acres set with trees. I "believe the reason was, that it was a received notion in this country, that no trees could grow here, "because of the sea air and the north-east winds. My grandfather came late to the estate, and the "civil wars of Charles I. did not permit him to stay at home; but when they were over, he tried "to raise some trees which he planted round the house and gardens. My father succeeded him, "who, as I have been told, both loved and understood planting. He began to plant, to drain, and "to enclose his grounds to very good purpose, but his father-in-law dying, he went to take pos-"session of the estate in right of my mother, who was heiress, and settled at Leslie [in Fife], "where he planted a great deal. [This was Margaret, the eldest daughter of John, Duke of "Rothes, who died in 1681, and his heiress died in 1700.] As I was then very young, I staid "at Leslie with my mother, and Tyningham was let to tenants. They pulled up the hedges,

The Earl of Haddington introduced into the agricultural affairs of East-Lothian another object which was of great use. The practice of sowing *grass-seeds* was new in this district "till he fell heartily to work, except a little *broad-clover* in particular gardens." He had some English people with him who taught his servants the practice of grass husbandry. He also tried Saint-Foin and Lucerne without adequate success (*k*). Fletcher of Saltoun emulated Lord Haddington in his agricultural encouragement, "after he saw his own *political*

"plowed down the banks and let the drains fill up, so that when I came to reside here, every "thing of that kind was in ruins, except the thickets to the east and west of the house. As I was "not then of age, I took pleasure in sports, dogs, and horses, but had no manner of inclination "to plant, inclose, or improve my grounds; but being at last obliged to make some inclosures "for grazing my horses, I found the buying of hay very expensive, this made me wish to have "enough of my own: yet I did little or nothing of that kind for some years: but as my wife "was a great lover of planting, she did what she could to engage me to it, but in vain. At last "she asked leave to go about it, which she did; and I was much pleased with some little things "that were both well laid out and executed, though none of them are now to be seen; for when "the designs grew more extensive, we were forced to take away what was first done. The first "Marquis of Tweeddale [died 1697], my Lord Rankeilor [died 1707], Sir William Bruce and "my father, with some others, had planted a great deal; yet I will be bold to say, that planting "was not well understood in this country till this century began [1701.] I think it was the "late Earl of Mar that first introduced the wilderness way of planting amongst us, and very much "improved the tastes of our gentlemen, who very soon followed his example. I had given over my "fondness for sport, and began to like planting better than I had done, and I resolved to have a "wilderness." This treatise was dated from Tyninghame in 1733. Thus far the Earl of Haddington; yet, John Reid, the quaker gardener, had taught every body in Scotland, by his ingenious book, entitled the *Scots Gardener*, in 1683, how to plant "*gardens, orchards, avenues, groves,* and *forests.*" It must be recollected that the well-known Duke of Lauderdale, formed here during the reign of Charles II., the *first park* of this shire, containing 500 acres, which he surrounded with an immense wall of 12 feet high, from the plunder of his country. In our own times Lord Blantyre reduced that height to seven feet. Trans. Antiq. Soc. Edin., 45.

(*k*) Treatise on Forest Trees, 75. There is fortunately preserved in the family household-book, a detail of the entertainments which were given at Tyninghame on the 21st of August 1679, at the baptism of the noble author of that agricultural treatise: "For *dinner*—Of fresh beef, six pieces; "mutton, sixteen pieces; veal, four pieces: venison, three legs; geese, six; pigs, four; old turkeys, "two; young turkeys, eight; salmon, four; tongues and udders, twelve; ducks, fourteen; fowls, "six roasted; fowls, boild, nine: roasted chickens, thirty; stewed chickens twelve; fricasseed "chickens, eight; chickens in pottage, ten; lamb, two sides; wild fowl, twenty-two; pidgeons, "baked, roasted, and stewed, one-hundred and eighty-two; roasted hares, ten; fricasseed hares, six; "hams, three." Such was the *dinner!* For *supper*, there were—Roast mutton, two pieces; mutton in collops, two pieces; roasted pigeons, twenty-six; hares, six; ale, sixteen gallons; rolls, a hundred; loaves, a hundred and twenty-four. Arnot has preserved those curious details in his History of Edinburgh, 176. There was here *plenty!* but it was country fare, which might have been produced on the farm of an opulent peer.

career at a close by *the Union*" (*l*). In 1710, he carried Meikle, the millwright, to Holland, whence he introduced the *fanners* which were afterward made at Saltoun, and formed the mill which manufactured *decorticated barley*, which was thenceforth known everywhere as Saltoun barley. The introduction of this barley mill is said to have rapidly improved the agriculture of this shire, by the ready market which was thus furnished for this species of corn. Yet the general state of agriculture was not much ameliorated. Though a great society of improvers, which arose in 1723, endeavoured to impart to the ploughmen its own energy, five-and-twenty years elapsed before improvement began to produce effects by its toil, or even to energize the common torpor by its spirit. The year 1750 is stated as the era of melioration, "when the "gentlemen and tenantry of this county began to emancipate themselves "from the fetters of their fathers' practices (*m*)." About the year 1736, the elder Wight introduced here the horse-hoeing husbandry in all its vigour; raised excellent turnips and cabbages; fed cattle and sheep to perfection; and attempted to extend the horse-hoeing husbandry to wheat, barley, and pease, though this pursuit did not justify the practice. Amidst some contrariety of opinions, one truth seems to be certain, East-Lothian possesses the unrivalled honour of having led the way in Scotland to the improvements of husbandry. The soil, indeed, and climate are inviting, being preferable perhaps to any in North-Britain. There are also ready markets for every thing that land produces, and there are limestone in plenty, and sea-ware along the whole coast, the two greatest promoters of fruitfulness of soil. It is not then wonderful that the husbandmen of this happy district, the Northampton of Scotland, should have early taken hold of nature's bounty by applying with diligence to agriculture, and that success should have attended their perseverance. Such are the representations of Wight, the agricultural tourist, a professed farmer at

(*l*) The Earl of Haddington promoted *the Union*, while Fletcher opposed it, both acting on the same motive. Lord Haddington foresaw that it would disappoint political projectors and quiet republican turbuleuce; Fletcher opposed it, as he knew that it would bring to an end "his political career."

(*m*) Mr. Baron Hepburn's Agric. Report; yet, before the year 1743, East Lothian was deemed the best improved county in Scotland by the most competent judges. Maxwell's Dedication to his *Select Transactions of the Society of Improvers*. Before the year 1743, there was a farming society at Ormiston. John Cockburn, the younger, of Ormiston, retired from political business in 1740, and applied himself to the improvement of the agriculture and manufactures of his county, which he had long served in parliament. This excellent patriot had zealously endeavoured to introduce here the agricultural practices of England, though perhaps with less discrimination than local circumstances demanded.

Ormiston, who spoke from his own observation as well as from the experience of his father, who was also an eminent husbandman (*n*).

We have already seen who were probably the earliest improvers of Haddingtonshire. In addition to men who would have been ennobled by their useful efforts, Patrick, Lord Elibank, and Sir Hew Dalrymple, each claim the merit of being the first who introduced the fructifying practice of hollow draining. Two farmers of the name of Cunningham were the first who levelled and straightened ridges, John, Marquis of Tweeddale, and Sir George Suttie, were the earliest and most successful practisers of the turnip husbandry. The potatoe was introduced into Haddingtonshire during the unproductive year 1740. But it was a farmer called Hay, in Aberlady, who was the first that raised that most useful root in the fields about the year 1754. In the course of surveying East-Lothian, said Wight, in 1776, I have discovered that improvements in agriculture are chiefly owing to the tenants. This is a fine county, and agriculture has been long carried on to greater perfection than in any other county. This circumstance leaves a good deal of money to circulate among the tenantry. By these means there are always substantial tenants ready for every vacant farm, and their money and credit enable them to make the most of their possessions. In other parts of Scotland the landlords have no better method to improve their estates than by taking their farms into their own hands in order to improve them, and then lease them to tenants. As this practice is unnecessary in East-Lothian, the landlords are few in number who find themselves obliged to apply themselves to agriculture. Thus much from the intelligent Wight (*o*). Without insisting on such topics, it is perfectly obvious that a whole shire can only be improved in its agricultural practice by the general concurrence of the whole husbandmen, and their concurrence can only be obtained by favourable terms and long leases, which promote their efforts and give security to the fruits of their toil. But it is in vain to teach farmers their profession by writing, or to expect them to adopt practices from patriotism, unless the proprietors exhibit their interests as the ends in view.

(*n*) Agricult. Reports, 1776, ii., 130.

(*o*) Agricult. Rep., ii., 275. The well-informed minister of Prestonkirk states it as a fact worthy of recording to the honour of this parish, that it first set the example of fallowing in this part of the island. In the beginning of the 18th century, John Walker, tenant in Beanston, by the advice of some gentlemen from England, fallowed about six acres of land, and finding the experiment answer his expectation, he was led to extend it in the year following to upwards of twenty acres. His neighbours observing the success of his practice gradually followed him in it, until at length it became universally prevalent. Stat. Acco., xi., 85.

When forty years of progressive improvements elapsed in 1776 every agricultural practice had been introduced into East-Lothian which the most intelligent men could think of for their own profit (*p*). All the youthful farmers had got into a better mode by intermixing broad-leaved plants with white-corn crops, which proved so lucrative as to force the whole farmers to follow their example. They still, however, worked their ploughs with four horses instead of two; and they had not yet been induced, whatever could be represented to their interests, to adopt oxen for draught in preference to horses. The husbandmen of Haddington had probably adopted in their practice not so much the best modes, as the best modes according to the climate, the soil, and other circumstances wherein they found themselves placed. Much has been done for the agricultural improvement of Haddingtonshire; much perhaps does not remain for carrying the practice of husbandry to possible perfection (*q*). [In 1887, there were under cultivation in Haddingtonshire, 40,739 acres of corn crops; 24,383 acres of green crops; 31,746 acres of clover and grasses under rotation; 20,122 acres of permanent pasture; 8 acres of flax; and 323 acres fallow land. In the same year there were in the county 3604 horses, 8745 cattle, 127,312 sheep, and 1970 pigs.]

The sheriff's fiers of Haddington is supposed by theorists to have commenced here at the early epoch of charters. The records of the county demonstrate that they in fact began at the recent epoch of 1627. The record of the privy council evinces that this practice of ascertaining the average prices of corn in the preceding year, did not begin anywhere in Scotland earlier than the era of 1627. Similar practices certainly existed in France during prior ages, and the word *fier* was also derived from France in the form of *Feurre* which was itself deduced from the old Gaulish *Ffair* (*r*).

Yet all those efforts of the nobles, of the gentry, and of the farmers, had been unsuccessful if better communications had not been made by artificial roads. During the Scoto-Saxon period we may see in the chartularies mention made of *the king's highways*. We may perceive in those records the existence of particular roads leading from various places in East-Lothian to Edinburgh; (*s*) but the practice of war during many a wretched age con-

(*p*) See the facts which are stated by Wight in his Reports, ii., 130-277.

(*q*) See the *general view* of the rural economy in East Lothian by the Hon. Mr. Baron Hepburn, 1794, and the general view of the same subject by Robert Somerville, 1805.

(*r*) See before p. 30-2; and see the *fiers* of Haddington, from their commencement in Mr. Baron Hepburn's App. to his General View.

(*s*) The monks were the first makers of roads after the Roman times. Caledonia, i., 804. The first act which was made in Scotland about roads was that of 1555, ch. 53; the second was in 1592, ch. 159; and those two are quoted as such by Stair's Institute, 287. The county roads to market towns

sisted in wasting the country and in breaking the roads. The whole system of highways was probably bad at *the Union.* It had not been long settled when the Scottish statutes respecting roads were adopted and enforced by the united parliament (*t*). Yet was not the new law equal to the difficult end. At the expiration of thirty years the roads of Haddingtonshire continued founderous (*u*). The true art of road making was not introduced into this district till the era of 1750, when an Act of Parliament empowered commissioners to repair the post road from Dunglass bridge on the border of Berwickshire throughout the length of Haddingtonshire to Ravenshaugh bridge where this road enters Edinburghshire (*x*). This Act led on in the progress of improvement to other measures of equal efficacy for amending the cross-roads of this county, and thereby to introduce a spirit of melioration wherever communications were carried (*y*).

Haddingtonshire may boast of her endeavours to obtain manufactures, in addition to a flourishing agriculture, without gaining that desirable end. Since the commencement of the Scoto-Saxon period she has enjoyed domestic fabrics for family use, without taking into the account the varied changes of corn into meal and flour, malt and ale (*z*). Her hamlets have always been inhabited by

were required to be 20 feet broad. Parl. 1st Ch. ii., 2nd sess., ch. 16. It should seem to have been the law of Scotland at *the Restoration,* that a road legally established could not be changed without an act of parliament. There was a warrant passed in the parliament of 1663, "for changing a way near Lethington." Unprinted Act of that parliament. During the same session, there was an act passed for repairing the highways at the town of Preston. Unprinted Act, 1663.

(*t*) 5 Geo., i., ch. 30.

(*u*) At that epoch, it was the work of a winter's day to drive a coach with four horses from Haddington to Edinburgh. The great effort was to reach Musselburgh to dinner, and to get to Edinburgh in the evening. This journey is now performed with two horses in two hours and a half. The town of Haddington complained of the turnpike act as oppressive. At that period, one horse could only bring on his back on a winter's day 200 weight of coals, from the pits at four miles distance. The same horse can now draw a 1000 weight, and make two turns in the shortest day. It is a very curious fact that in August 1503, when the princess Margaret passed through this shire to consummate her marriage with James IV., it was necessary "in some places to make by force wayes for her cariage." Lel. Col., iv., 282.

(*x*) 23 Geo., ii., ch. 17. This seems to have been the first turnpike act which was enacted for Scotland.

(*y*) See Somerville's General View, 215-20.

(*z*) There are now in Haddingtonshire several *breweries,* of rather a more public sort, which are carried on to a great extent. There are distilleries also in this district, that are carried on to a vast compass. There is one at St. Clements Wells, which, as it pays annually to the excise £4000, is said to be the greatest in Scotland, and which fattens yearly 900 cattle and 300 swine: and the proprietors of this extensive manufacture work a seam of coals for the supply of their

blacksmiths, ploughwrights, tanners, shoemakers, weavers, tailors, who must exist in every society. But the scanty population of her villages, at the end of half a century from the commencement of her meliorations, evinces with strong conviction the absence of a busy manufacture. A coarse fabric of wool has always existed here, though it was originally intended for domestic uses. A woollen manufacture has long existed in Haddington town, particularly in the *Nungate*. In this town, a similar manufacture was settled during the troublous age of Oliver Cromwell, who particularly encouraged it, seeing, perhaps, with his sagacious eyes that fanaticism could only be cured by employment (*a*). After all those failures, a fabric of wool has at length taken root at Athelstaneford, where a variegated cloth is supplied at an easy price, and makes a pleasant dress, that is known at Edinburgh by the name of *the Gilmerton livery* (*b*). But such a fabric cannot create much circulation or energize much labour. A linen manufacture has long existed in this shire; but it has been always feeble, and has never been of much importance to individuals or the state (*c*). At Dunbar, there is an appropriate manufacture of cordage and sail-cloth, which does not yield much profit nor employ many hands, and there has been erected here a machine for the spinning of *lint*, which is said to promise better, though it appears not to have much ameliorated the linen manufacture (*d*). The first bleachfield for whitening linen is said to have been erected in Haddingtonshire, which was patronized by Cockburn of Ormiston. The first bleachfield of the British Linen Company was fixed at Saltoun, under the willing eye of Fletcher, Lord Milton (*e*). In 1793, there was erected a cotton

works. Stat. Acco., x., 87; iv., 170. There are also several starch manufactories in this shire, which are carried on to great size and profit. Ib., iv., 170; x., 258; v., 481; and these *breweries*, distilleries, and starch works, manufacture a great quantity of corn, and, of course, furnish advantageous markets to the farmers.

(*a*) Transact. Antiq. Soc. Edin., 52-3. Colonel Stanfield, who was assassinated by his son, had the honour of converting his warlike spear into a woollen loom. This undertaking had failed before the Revolution. About the year 1750, a company, at the head of which was Fletcher, Lord Milton, and which revived such a manufacture, but it soon failed. Id. Another company, unwarned by the failure of the former, a third time tried with still less success to establish such a manufacture at Haddington, where fuel is cheap and the materials at hand, while labour is dear.

(*b*) Stat. Acco., x., 170.

(*c*) According to a three years' average, ending with 1790, there were of linen made for sale in Haddingtonshire, 26,875 yards, which were valued at £1,866 4s. 2d. sterling. According to the same average, ending with 1800, there were made 27,221 yards of the value of £1,766 5s. 6d.

(*d*) There appear to be now erected several flax mills in this county. Stat. Acco. throughout.

(*e*) Ib., iv., 170; x., 258; and there are now various other bleach-fields in this shire, which seem to suppose that they produce an adequate profit. Ib., i., 347; xvii., 40.

mill on Biel water, in the parish of Dunbar (*f*): But we may suppose that it has not been very profitable, as it has not been followed by similar establishments. At Dunbar, where the spirit of industry seems to enliven the people, there is a soap manufacture. At Prestonpans was established, in 1750, a manufactory of *oil of vitrol;* it was soon extended to the making of aquafortis, spirit of salt, white ashes, and Glauber salts (*g*). At Prestonpans there are *potteries* which produce white and cream-coloured ware, and which began about the year 1754, and employ seventy persons, though the materials are brought from England. There is another fabric of *stoneware* at Cuttle, in the same parish of Prestonpans, which from early times seems to have been moved by an energetic spirit (*h*). At Morrison's-Haven, there is also a manufactory of brown stoneware, from clay which the neighbouring fields supply (*i*). At the end of the seventeenth century there was erected at the same place, a glass-house for the making of bottles (*k*). In Tranent, there is a considerable *tannery;* and there is here also a small manufactory of locks and nails (*l*). At Saltoun, where ingenuity and patriotism early began to energize the people, there is *a paper mill* (*m*). Yet the foregoing details do not evince that Haddingtonshire is a manufacturing county. Experience has everywhere shown that manufactures are plants which naturally spring up in an unpromising soil, but cannot be easily cultivated by artificial means.

Salt is one of the earliest manufactures of Scotland. It was practised along the East-Lothian shore during the 12th century. The monks of Newbotle, who obtained a grant of Preston before the year 1189, from Robert de Quincey, and who had the honour of discovering coals within their lands, established a salt-work here, which gave rise to the name of Preston-*Pans* (*n*), and along this shore, the manufacture of salt is still confined during the present times;

(*f*) Stat. Acco., v., 481. (*g*) Ib., xvii., 67-8.

(*h*) In 1663, the parliament passed an act "for *two fairs* to be held yearly in the barony of Preston." Unprinted Act of that year.

(*i*) Stat. Acco., 66-7.

(*k*) Id. When John Ray travelled along this shore in August 1661, "he saw glasses made of kelp and sand mixed together, and calcined in an oven. The crucibles which contained the melted glass, they said, were made of tobacco pipe clay." Itinerary, 194.

(*l*) Stat. Acco., x., 88. (*m*) Ib., 258.

(*n*) Near Gullane, at the month of the West Peffer, there was of old a salt work, which imparted to the place the significant name of Salt-*cots*. On the shore of Oldhamstocks there was anciently a salt work, which gave to the place the appropriate name of *Salt-pan*-hall. Stat. Acco., vii., 406.

and produce yearly at least 30,000 bushels (*o*). Connected with the salt manufacture is fishery. There was of old an oyster-fishery on this coast which for many years employed numerous boats. The sea-fowl of the Forth taught the people on the adjacent shores what food and what wealth might be found in that fruitful water. A herring-fishery now began and was carried on, of old, to a great extent, yielding great profit to individuals and not a small revenue to the State (*p*).

The foreign trade of this agricultural shire consisted, anciently, in exporting the rude produce of the flocks and herds, the wool, the skins, and hides, and in importing the necessaries which people living in a rude state of society commonly require. Haddington town was for ages a sort of commercial metropolis, where the court of *the four boroughs* assembled under the chamberlain to decide on the disputes of traffic. In opposition to nature Haddington town was thus induced to endeavour to be a sea port though it be upwards of five miles from any harbour. The nearest port to Haddington is the basin which is formed by West-Peffer where it falls into the sea, and which is known by the name of Aberlady or Luffness (*q*). Trade will form a port, but a port

(*o*) Stat. Acco., xvii., 65-6-7. Some years ago, Doctor Schwediaur began at Cockenzie, a manufacture of great salt, which was of a superior quality, but his merit was not attended with the success which was due to his enterprise. Ib., xvii., 74; x., 86. In favour to the Earl of Winton, there passed an act of parliament in 1681, exempting *his coal and salt* from any public burden. Unprinted Act of that year. The Laird of Ormiston protested against this exemption, as well he might. Id. The whole *excise* on the *salt*, which was made between Leith and South-Berwick, was let to Thomas Row in the year ending with January 1657, at £360, as we learn from Tucker's MS. Report in the Advocates' Library.

(*p*) The *assize* of herring from the east seas amounted in 1598, to 1120, dry killing; and in 1614 it paid £2000 Scots, and £1510, fine. In 1656-57 and 59, it paid £130 sterling. Tucker reported to Cromwell's commissioners in 1656, "The town of Dunbar, or village rather, is a "fisher town, famous for the herring fishing, which are caught thereabout and brought thither, "and afterwards cured and barrelled up, either for merchandize or sale to the country people, "who come thither, far and near, at the season, which is from about the middle of August to the "later end of September, and buy great quantities of fish, which they carry away, and either "spend presently, or else salt and lay up for the winter provision of their families. The trade "here is little else except salt, which is brought hither and sold for the fishing." Tucker's MS. Report in the Advocates' Library. Yearly, about this time, said John Ray in August 1661, there is a great confluence of people at Dunbar to the herring fishery, and they told us sometimes to the number of 20,000 persons; but we did not see how so small a town could contain, indeed, give shelter to such a multitude. Itinerary, 189-90. They were not stationary. The people came and went according to circumstances, as we see in Tucker's Report.

(*q*) During the reign of Alexander II. David de Lindsay of *Luffenach* [Luffness], granted to the monks of Newbotle, a perpetual exemption from all toll or custom in his port of Luffenach.

cannot command trade. Now, here, what expectations could there be where there was neither a port nor trade! Haddington town had, do doubt, from its original charter an exclusive commerce over a wide extent of country. But during ages of rudeness and rapacity what profit could be obtained from such a monopoly! At the recent epoch of *the Revolution* there did belong to this port of Haddington one vessel of eighty tons which was valued at £250 (*r*).

At the middle of the 12th century the Earl of Dunbar had a port at *Bele* lying within less than a mile of Dunbar on the westward, and acquiring thus the appropriate name of Bel-*haven* (*s*). This then was the port of Dunbar till the reign of Charles II., when a harbour was formed by building a pier at Dunbar. David II. indeed, by a charter in 1369, created Dunbar a free burgh in favour of the Earl of Dunbar, and made it a commercial port (*t*). The eastern pier was erected under the grand usurpation, Cromwell giving

Chart. Newbot., 219. Haddington acquired this port by whatever means. In the confirmatory charter of James VI. to the community of Haddington, dated the 30th of January 1624, he confirmed to that town, "the port of Aberlady, lying in the bason of Peffer water, with the common "*gate* [way] leading to the same port, together with the house of the said burrough, situated by "the said port and shore thereof, called the town of Haddington's house, with the anchorage, "monies, profits, privileges, duties, and customs of a *free port*;" and this charter was confirmed by the parliament of 1633. Transact. Antiq. Soc. Edin., 98; Unprinted Act, 1 Parl. Charl. I., No. 61.

(*r*) MS. Report in the Advocates' Library. Haddington has, at this day, what is of more importance to her, a weekly market, which is supposed to be the largest in Scotland for the sale of corn.

(*s*) Gospatrick, the Earl of Dunbar [from 1147 to 1166], granted to the monks of May for their accommodation in commerce, a full toft near his port of Bele, free from all custom. Chart. May, 26. This toft appears to have been assigned them at Dunbar, where they built a house. About the year 1168, William the Lion confirmed to the monks of May, "Unam mansuram, cum tofto, in Dunbar, et applicationem unis navis ad necessaria domus sui transportanda, sicut comes Gospatricius eis dedit, et rex Malcolmus frater meus eis carta sua confirmavit." Ib., 17.

(*t*) As motives for the grant of a free burgh to Dunbar, it was stated that the English traders of Berwick and of Roxburgh carried out of the kingdom wool, skins, and other goods, on which a custom was due to the king, though it was never collected, as the burgh of Haddington was too remote from the marches. Dunbar was therefore, now made a free burgh, and the free burgesses living within it were enabled to buy skins, hides, wool, and other merchandises, as other burgesses of the realm could usually buy and sell, and for that end should have a market croce, and also a free port, "apud le Belhaven," with entry and clearance of ships and goods, and to enjoy a *trone* and *cocquet*. The boundaries of the burgh of Dunbar were declared to be co-extensive with the limits of the earldom of March, and the burgesses of Haddington were now empowered to trade within the same limits, while the burgesses of Dunbar were authorized to traffic within the privileged places of Haddington. Roberts. Index, 89.

£300 towards the expense of the work. Yet was the harbour still imperfect, and early in the 18th century it was enlarged and deepened by digging eight feet into the solid rock, while commodious quays were built (*u*). About the same time, perhaps, Dunbar was erected by an exchequer commission into a customhouse port, extending from Berwick-bounds on the the south, to Tyne water on the north (*x*). We have thus seen a powerful competition established to the shire town in its immediate neighbourhood.

As Dunbar was thus established as a competitor to Haddington, so North-Berwick was raised up a few years afterward as a rival to Dunbar. In 1373, by a charter of Robert II., to William, Earl Douglas, North-Berwick was made a burgh, with the privilege of buying and selling, with a port and customhouse for the entrance and clearing of ships, with a *trone* for the weighing of wool (*y*). The great influence of Earl Douglas did not, however, give much trade to North-Berwick. In 1692, at the end of three hundred and twenty years, North-Berwick enjoyed only two fishing boats. The foreign trade of North-Berwick consists at present of exporting corn and of importing what the country requires of foreign luxuries.

The history of Morrison's-Haven may be given in a few words. In April 1526, James V. empowered the monks of Newbotle, the discoverers of coal in the same vicinity, to construct a port within their own lands of Prestongrange (*z*). Near the west end of the town of Preston-Pans, the monks erected a harbour which was called *New-haven*, and this name was changed to Acheson's-haven, and afterward obtained the name of Morrison's-Haven, from the proprietor, at the commencement of the 17th century. It is reckoned one of the safest harbours on this shore of the Forth, having ten feet water at stream tides (*a*). It is a customhouse port by the name of Preston-Pans, extending along the southern

(*u*) Stat. Acco., v., 479-80-81.

(*x*) MS. Custom House Report. The date of the erection was the 23rd of October 1710. The limits of this port are before stated in chapter 1. Robert III. granted to William Danyelstoun an annuity of 20 marks sterling, out of the great customs of Dunbar, till the king should grant him ten marks of land in some competent place. At the epoch of the Revolution, Dunbar had of shipping two barques and sixteen herring boats. In 1800, Dunbar only possessed 16 vessels, which carried 1,582 tons, and were navigated by 169 men.

(*y*) Roberts. Index, p. iii. This is the most ancient charter of North Berwick. The Earl of Douglas entered at the same time into an obligation to resign that charter, if it should be found inconvenient to the other ports of Scotland, as we have seen. Parl. Rec., 129.

(*z*) The charter of James V. was ratified by parliamen in the same year. Parl. Rec., 568.

(*a*) Stat. Acco., xvii., 72-3.

shore of the Forth, four-and-twenty miles between the ports of Dunbar and Leith (*b*). In 1800, the port of Preston-Pans enjoyed only one coasting vessel of 47 tons, which was navigated by three men.

At the end of the 16th century, James VI. created, in favour of Robert, Lord Seton, the burgh of barony of *Cockenzie* to be held as a free port (*c*). The village of *Cockenzie* is close to the town of Port-Seton, where the harbour now is. Before *the Union*, Port-Seton was a place of some resort for vessels. At present it has very few shipping. The chief export is salt. The imports consist of timber and iron for a prosperous country, and sometimes corn and malt for the neighbouring distilleries (*d*). The harbour of Cockenzie lies within the customhouse port of Prestonpans. During the forty years which ended in 1800, the shipping of Dunbar increased from 8 vessels, carrying 1,135 tons, to 16, bearing 1,582 tons. During the same period, the shipping of Prestonpans decreased for 12 vessels, carrying 590 tons, to 1 vessel, bearing 47 tons. As Dunbar and Prestonpans are the only two customhouse ports within East-Lothian, we may infer from the foregoing details that its navigation has not been, in the present reign, very prosperous.

The famous question of political economy, whether agriculture, when conducted on its best principles, and managed with the most rigid attentions, be favourable to a numerous population, will be answered most satisfactorily by the *Tabular State* which is annexed; as it exhibits the numbers of people in each parish at three successive periods, which are allowed to be times of great prosperity, and as this *table* contains statements of facts, the question must be decided by the fact which evinces that Haddingtonshire with the help of some manufactures, some trade, and some shipping, during the last fifty years, has hardly maintained from diminution the numbers of her people.

(*b*) It was so erected as a port in 1710. MS. Custom House Report. In 1617, James VI. erected Preston and Prestonpans into a *burgh of barony*, with the usual privileges, in favour of Sir John Hamilton of Preston. Ib., 61. Charles II. in 1663, confirmed to Thomas Hamilton the barony of Preston, with the *burgh* of Preston, "et libero porto marino et navium statione ejusdem," with the privileges accustomed, "et salinarum patellis, carbonibus carbonariis," within the same barony. He and his heirs rendering for the same, 2 marks, 6 shil. and 8 pen. yearly, as *the ancient feufirm* for the same lands, with 6s. 8d. of augmentation. MS. Charters.

(*c*) Dougl. Peer., 706, who quotes the charter.

(*d*) Stat. Acco., x., 86. The insignificance of this harbour might be inferred from the circumstance that the shore dues seldom exceed £30 a year.

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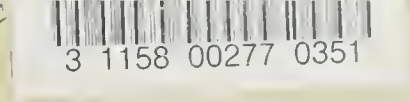

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